

First Judicial District District Court, Gilpin County, State of Colorado Court Address: 2960 Dory Hill Road Black Hawk, CO 80422 303-582-5522 ext 13	
_____ Petitioner and _____	Case No: _____ Division: _____
_____ Co-Petitioner/Respondent	
DOMESTIC RELATIONS CASE MANAGEMENT ORDER	

This Case Management Order has been: E-Filed to: _____
 Hand Delivered to: _____
 Mailed to: _____

 Date Ordered: _____

It is the responsibility of the petitioner (or petitioner's counsel) to mail a copy of this Order to the respondent (or respondent's counsel) and file a certificate of mailing with the Court.

PLEASE DO NOT WRITE IN FOLLOWING BOX. IT IS INTENDED FOR USE BY COURT PERSONNEL ONLY.

Status Conference Date: _____ Time: _____ Location: _____

This Case Management Order applies to the following types of petitions: dissolution of marriage, legal separation, invalidity of marriage, and allocation of parental responsibilities. **Please read this Order very carefully. Failure to comply may result in the dismissal of your case.**

Your case is before a Gilpin county judge assigned to the district court. If a contested permanent orders hearing is required, the judge (or magistrate by consent) will resolve the matter. This Order may be supplemented or modified by the judge's supplemental case management order.

Your case is governed by Rule 16.2 of the Colorado Rules of Civil Procedure (C.R.C.P) and by this Case Management Order. Compliance with both will lead to a timely, cost-effective resolution of your case. The Colorado Rules of Civil Procedure can be found in many public libraries (as part of the Colorado Revised Statutes) and on the Internet at <http://www.courts.state.co.us/supct/rules/rulesindex.htm>.

MANDATORY INITIAL STATUS CONFERENCE

The purpose of the Initial Status Conference is to orient the parties to the court's case management process and to plan the timing of future activity in the case. Parties shall be prepared to stipulate to all matters not in dispute and to determine a timeline of events leading to the completion of their case.

If neither party is represented by counsel, the initial status conference shall be conducted by the judge within 40 days of filing the petition. Petitioner (or the co-petitioner/respondent if petitioner is not represented by an attorney) shall be responsible for scheduling the initial status conference by initiating a notice to set per C.R.C.P. 121 § 1-6. The initial status conference shall not be delayed because of lack of service of process on a party.

FAILURE TO SCHEDULE AND/OR APPEAR AT THE INITIAL STATUS CONFERENCE MAY RESULT IN DISMISSAL OF YOUR CASE WITHOUT FURTHER NOTICE!

The following must be filed before the initial status conference:

- a) Parties must exchange the mandatory disclosures required by C.R.C.P. 16.2(e)(7) and file a certificate of compliance with the Court. **The disclosures themselves shall not be filed unless ordered by the Court.**
- b) Each party must complete and file with the Court a completed financial affidavit. Financial affidavits may be obtained on line at: <http://www.courts.state.co.us/chs/court/forms/domestic/alldomesticforms.htm>; and
- c) Each party (separately or jointly) must complete and file with the Court a proposed child support worksheet if there are minor children. Child support worksheets may be obtained on line at: <http://www.courts.state.co.us/chs/court/forms/domestic/childsupportguidelines.htm>

Parties may engage in discovery and retain experts as permitted by C.R.C.P. 16.2(f),(g), but must obtain court authorization for any additional discovery. Any additional settings will be determined by the judge, at the time of the initial status conference and may include additional conferences, a temporary orders hearing, or a pre-trial conference. Instructions will be provided about setting a permanent orders hearing.

Parties shall be present in person at the initial status conference. In unusual cases, to minimize a party's costs, a party or attorney may request permission from the Court in advance to appear by phone. **Please do not bring children to the conference unless you are unable to arrange adequate day care.**

You do not have to attend the initial status conference if:

- 1) Both parties have agreed on all aspects of the case and have filed an Affidavit For Decree Without Appearance, a completed separation agreement, and all other required documentation **before the scheduled conference date** (if you have done this, you must also contact the Self-Help Center and cancel the initial status conference date); **OR**
- 2) Both parties are represented by counsel and a **Stipulated Case Management Plan** is filed within 40 days of filing of the petition. If counsel are unable to file a Stipulated Case Management Plan, they must set an initial status conference.

PARENTING CLASSES

In all cases involving children age 17 and younger, both parents and any party seeking parental responsibilities must attend a parenting class. Completion of this class is required even if you agree on all child-related issues. The cost of this class is nominal and shall be paid by the parties. The court cannot waive this fee.

I. If you meet the following criteria:

- ▶ have any child between the age of 6 and 17;
- ▶ are seeking a Dissolution of Marriage or Legal Separation;
- ▶ Both parties live in the State of Colorado; and
- ▶ Parties have been physically separated two years or less;

then you **must attend the Parents and Children's Educational Class** offered by the Jefferson County District Court. The classes are held at the Jefferson County Court and Administrative Facility, 100 Jefferson County Parkway, Golden, Colorado, in the Jury Assembly Room on alternate Thursdays at 4:30 p.m. Registration is from 4:00 to 4:15 p.m. The parties are required to call (720) 939-2244 to schedule a particular class. The parties shall not attend the same class if there is a restraining order in effect prohibiting contact between the parties. If the parties attend different classes, the petitioner must bring the child(ren) to the class. The Respondent/Co-Petitioner who attends a different class may also bring the child(ren) when attending the class. Either party may request reimbursement from the other party for the child(ren)'s fee associated with the class.

II. If you do not meet the above criteria, then you must instead attend one of the following parenting classes to assist with parenting responsibilities both during and after the conclusion of the case. The parenting class must be a minimum four-hour class that addresses the topics of positive co-parenting and the effects of family conflict on children. Completion of one of the following programs will satisfy this requirement:

- | | |
|------------------------------------|----------------|
| ▲ Best Interests of the Children | (303) 273-0459 |
| ▲ Divorced But Still Parents | (303) 986-1800 |
| ▲ Divorce and Parenting Center | (303) 771-5424 |
| ▲ Family Tree | (303) 422-2133 |
| ▲ Parenting After Divorce | (303) 329-9942 |
| ▲ Shared Parenting Support Program | (303) 431-1963 |

If you must attend an out-of-state class, it is your responsibility to demonstrate that the class has been provided under the auspices of a licensed mental health professional and satisfies the criteria. Parties must file with the court a certificate of completion from the provider showing successful completion of the class within 45 days from the date of this order. Each parent is responsible for paying the cost of his/her class.

Failure to comply with the Order to attend a parenting class may result in the postponement of the entry of the decree, postponement of your hearing date, or other sanctions including dismissal of your case. Failure to comply may also be considered by the court as a factor in determining the allocation of decision-making responsibilities and parenting time.

DOMESTIC VIOLENCE

The Colorado legislature has acknowledged the impact of violence in and around the home and the effect that it has on children. The legislature also recognizes that children living in homes where domestic violence occurs are at greater risk of emotional, psychological, and physical harm. Since domestic violence affects children in a variety of ways, each child should be assessed on an independent basis.

If your case involves domestic violence, you are strongly encouraged to seek an assessment, counseling, or other services for your family. If your children participate in assessments or counseling related to domestic violence, the Court may apportion the costs of such services between the parties as it deems appropriate. A list of resources may be obtained at the Self-Help Center.

MEDIATION

The parties also have the option of participating in mediation in order to reach an agreement. Mediation services are available through the Colorado State Judicial Department's Office of Dispute Resolution at (303) 837-3672, or Jefferson County Mediation Services at (303) 271-5060, or you may retain a private mediator. The Court may order that your case be mediated.

DISSOLUTION BY AFFIDAVIT

If you do not have children under age 21, or if you have minor children and **both** parties are represented by attorneys, and if you have agreed on **all aspects** of your case, you may proceed by filing an Affidavit for Dissolution without Appearance of Parties.

It is the responsibility of the parties to ensure that all the proper documents are filed, and **both** parties' signatures must appear on all joint documents. The parties must also schedule a nonappearance hearing date with the Self-Help Center.

If you have minor children, and one or both of the parties is not represented by an attorney, you will need to appear personally in court to obtain a decree or permanent orders allocating parental responsibilities. If you are seeking a decree of legal separation or a declaration of invalidity of your marriage, you will need to appear personally in court to obtain the decree regardless of whether you have minor children or are represented by an attorney.

REQUIREMENTS OF FILING PARTY

The petitioner must have the other party personally served, set the initial status conference and notify the other party of the initial status conference date and of the order to attend a parenting class (if there are minor children). Petitions for dissolution of marriage, legal separation, and allocation of parental responsibilities must be personally served in accordance with Rule 4 of the Colorado Rules of Civil Procedure. Service may be accomplished inside or outside the state by a sheriff of the county where the service is made, by a private process server, or by any other person over the age of 18 who is not a party or related to a party. After service is accomplished, a certificate of service must be filed with the court. **Personal service is not accomplished by mailing documents to the other party, even if certified.** Other documents, such as this order, may either be served with the petition or sent by regular mail once the other party has been personally served.

MOTIONS

Emergency matters and a request for temporary orders may be brought to the attention of the Court by motion. Issues related to children shall be given priority on the court's calendar as provided for by C.R.C.P. Rule 16.2(e)(3). Any need for temporary orders may also be raised at the initial status conference and the Court may set such matters for a hearing.

THE SELF-HELP CENTER

Parties shall come prepared with all documents. Forms may be obtained on the Judicial web site at www.courts.state.co.us/chs/court/forms/selfhelpcenter.htm under the Family Law heading or from the Clerk of Court's Office. **If you choose to represent yourself, you are required to follow the same procedures and rules as lawyers.** You may contact the First Judicial District Legal Assistance Program at 303-216-0851 or Colorado Legal Services at 303-837-1313 if you are indigent.

The Self-Help center in the Jefferson County Courts Building in Golden is located on the first floor of the main clerk's office - the window to the right of the Domestic window or may be reached at (303) 271-6102. The Self-Help Center will serve as a resource for litigants representing themselves. Self-Help center staff members are NOT attorneys and are not permitted to provide legal advice or fill out forms for you. Nor may Judges and court personnel give you legal advice.

While you have the right to represent yourself in a dissolution of marriage/legal separation/declaration of invalidity/allocation of parental responsibilities proceeding, there can be many complicated issues that arise along the way. **It is advisable to consider whether it is more cost effective to seek the advice of a lawyer for your protection at the beginning your case. If the issues are not properly or adequately addressed in court, you may compromise your rights – or even lose them. It is generally more expensive to go back and try to fix problems after the process is completed.**

PETITIONER SHALL SEND A COPY OF THIS ORDER, ALL NOTICES OF ANY HEARING, AND ALL OTHER DOCUMENTS FILED WITH THE COURT TO ALL COUNSEL AND SELF- REPRESENTED PARTIES UPON THEIR ENTRY OF APPEARANCE IN THIS CASE AND SHALL FILE A CERTIFICATE OF SERVICE OR MAILING WITH THE COURT IN EVERY SUCH INSTANCE.

SO ORDERED BY THE COURT:



for R. Brooke Jackson, Chief Judge