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| **4th District 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** |
| BLANKET ORDER TO ALTERNATIVE DISPUTE RESOLUTION / MEDIATION IN DOMESTIC CASES  |
| (APPLIES TO ALL FAMILY CASES IN EL PASO AND TELLER COUNTIES) |

There is a standing order that all domestic cases require mandatory mediation prior to a court hearing. The Court finds that the interests of a just, speedy and economic resolution of these disputes herein are served by referral of these cases to mediation. Mediation allows parties to resolve differences concerning children, property, and financial issues without excessive expenditure of time, energy, and money. The basic premise of mediation is that the parties involved in the dispute are best suited to resolve their own differences, and are in the best position to arrive at solutions that may address the needs of all parties involved. More than half of all family cases reach full or partial resolution in mediation. Parties who go through mediation early are likely to resolve more of their issues, spend less time in court, and keep their agreements in the future than those who do not attend mediation. Unrepresented parties who go through mediation are much more likely to submit agreements to the court that will be acceptable to the court, and will commit the parties to the agreements they intended to make, without inadvertently creating problems for the parties because they were not aware of the meaning of the agreement they wrote.

Accordingly, pursuant to the Colorado Dispute Resolution Act, §13-22-301, C.R.S. et seq. and specifically §13-22-311, C.R.S. the Court orders that all claims in this action are hereby ordered to a mandatory two hour (minimum) mediation session.

1. **Scheduling Mediation**

The parties may use any mediator they choose. As a courtesy, the 4th JD Mediation Office has contract mediators available, but the parties may select a “private” mediator or one from a mediation organization if they so choose.

In order to get a mediation appointment with the 4th Judicial Mediation Office you must fill out a 4th JD Mediation Office Request for Mediation, and return it to the 4th JD Mediation Office (Room S023 of the El Paso County Courthouse on 270 S. Tejon, Colorado Springs, CO). Mailing Address: 4th JD Mediation, S023, 270 S. Tejon, Colorado Springs, CO 80903; or email: 04JDMediation@judicial.state.co.us. You can get the JD Mediation Office Request for Mediation form at [www.coloradoodr.org](http://www.coloradoodr.org) (click on Find an ODR Mediator; then El Paso County on the map);at the 4th JD Mediation Office (Room S023 of the El Paso County Courthouse), or online at [www.coloradoodr.org](http://www.coloradoodr.org) (click on El Paso County, then Mediation). These instructions also apply to Teller County.

You must mail a copy of this Blanket Order to Alternative Dispute Resolution in Domestic Cases (FCF 300A) to all other parties in the case or their attorneys, if applicable. You do not need to file a copy of this blanket order with the court (other than filing the 4th JD Request for Domestic Mediation with the Mediation Office). If both parties are unrepresented, the Court will schedule a mediation appointment for a date and time mutually agreed-upon by the parties, and hand the notice of mediation to the parties if mediation is scheduled in person, or send notice by mail or email if mediation is scheduled over the phone. If there are one or more attorneys on the case, the Court must coordinate a date and time with their schedules. Appointments are usually set for four to five weeks ahead, unless parties agree to a different date.

Both parties will be given the opportunity to agree on a mediation date, and mediation will only be scheduled when both parties acknowledge that date. The Court will not schedule with one party without notifying the other party. Attorneys will be responsible to confirm availability of any pro se party regarding a pending mediation date before scheduling the appointment. The attorney must provide the pro se party with a copy of the mediation letter at least 4 weeks prior to their mediation appointment.

1. **Payment and Attendance**

**Each party** must pay for their own mediation fee, which is $120 for the mandatory two hour mediation. Any additional hours are at the rate of $60/hour for each party. Applications for a **fee reduction for low income parties** may be found at [www.courts.state.co.us](http://www.courts.state.co.us) (“Find a Court”, enter “El Paso”, click “here” in “Mediation”, and choose “**Fee Reduction JDF 211 Form**”). You should submit this application with supporting documentation at least **14** days prior to the mediation; unless you are approved, you will need to pay $120 for the mediation. **Application for reduced fees will not be accepted the day of mediation**. Parties who have an attorney are not eligible, unless the attorney is pro bono or court appointed.

If either party does not show for the mediation appointment, they shall be charged the full cost of mediation $240, and may face sanctions by the court. A late cancelation will result in a $240 charge to the cancelling party. If there is an attorney representing any party, the attorney must agree to any cancellations or reschedules, pursuant to the 4th Judicial Mediation policy and the order of the Chief Judge of the 4th Judicial District.

Each party must be present personally at the mediation session, unless telephone conference arrangements are made with the mediation office based on the party living out of the area.

All parties have the right to be in separate rooms for the entire mediation; to elect to use the 4th JD Mediation Office inside the courthouse for safety reasons; and to leave separately at the end of the process. **If there is a restraining** **order or allegations of domestic violence**, **please inform the scheduler or the mediator at the time of scheduling mediation**. **Parties who are unwilling to participate in mediation based on claims of physical or psychological abuse by the other party may request a waiver of this requirement by filing a motion with the court.**

Notify the scheduler if an interpreter is needed so it can be scheduled. Typically third parties (family and friends) are not allowed in mediation. Do not bring children to mediation; Court Care in the courthouse has free day care.

The parties are reminded they must bring the following to mediation:

-A completed Sworn Financial Statement;

-If applicable, a proposed Parenting Plan and a proposed Separation Agreement (one for each party);

-A complete copy of personal federal and state income tax returns for the three years preceding the filing of the petition or motion;

-Pay stubs or statements of earnings from all employers for the three months preceding the filing of the petition or motion;

-A complete copy of federal income tax returns for the three years preceding the filing of the petition or motion regarding any business in which a party has any interest entitling that party to a copy of such returns;

-Any available information relating to pension, profit sharing, deferred compensation, and retirement plans;

-Day care receipts or costs for children;

-Health insurance costs for children;

-Copies of bills or statements for credit cards and loans.

If parties reach a full agreement on all issues and submit their signed agreements to the court 7 or more days before mediation, they may cancel mediation with no charge by contacting the 4th JD Mediation Office at 719.452.5005, Option #4 or email at 04JDMediation@judicial.state.co.us. **Both parties must notify the office that they have finalized their agreements in writing and filed said agreements with the court for us to cancel the mediation.**

Failure to comply with this Order may result in sanctions by the court.

**BY THE COURT:**

**Jill M. Brady**

**District Court Judge**

**Presiding Domestic Relations Judge**