District Court El Paso County, Colorado 270 South Tejon, Post Office Box 2980 Colorado Springs, CO 80901 (719)452-5000	▲ COURT USE ONLY ▲
Petitioner: And Respondent/Co-Petitioner:	Case Number: Division: Room:

DOMESTIC RELATIONS CASE MANAGEMENT ORDER
(*PRE*-DECREE OR *PRE*-FINAL ORDERS)

IMPORTANT! THE PETITIONER **SHALL** PROVIDE A COPY OF THIS CMO ORDER (INCLUDING ATTACHMENTS), THE PETITION, THE SUMMONS, THE NOTICE OF HEARING AND ALL OTHER DOCUMENTS FILED WITH THE COURT **TO** ALL COUNSEL AND SELF-REPRESENTED (PRO SE) PARTIES. PROOF OF SERVICE SHOWING SERVICE OF THIS CMO ORDER, THE PETITION, THE SUMMONS, NOTICE OF HEARING AND ALL OTHER DOCUMENTS ON THE OTHER PARTY **SHALL** BE FILED WITH THE COURT WITHIN ***FOURTEEN (14) DAYS*** OF SERVICE. NOTE: ATTORNEYS MUST ELECTRONICALLY FILE IN THE 4TH JUDICIAL DISTRICT DOMESTIC CASES.

This Case Management Order contains important information regarding your upcoming proceedings. To better serve you and the Court, please **read this Order in its entirety**.

GENERAL INFORMATION

How do I get my case started? The case cannot get started until personal service has been completed on the other party or parties in accordance with Rule 4 of Colorado Rules of Civil Procedure (unless it's a joint filing). Petitions for dissolution of marriage or civil union, legal separation of marriage or civil union, invalidity of marriage or civil union or an allocation of parental responsibility must be **personally served in accordance with Rule 4 of the Colorado Rules of Civil Procedure**. Before a dissolution of marriage or a dissolution of civil union can be finalized, state law requires that parties must wait 91 days after service of the papers on the other person (or 91 days after filing if both parties filed the case). If there are minor children of the marriage or civil union involved you must set a final hearing in the division even if you and your spouse agree on everything. If the issues between the spouses are completely settled you may complete an Affidavit for Decree Without Appearance of Parties (*Form JDF 1201*) after 91 days and secure your dissolution. The Court will not grant a dissolution of marriage or dissolution of civil union by affidavit for decree without appearance of parties if there are children of the marriage or civil union unless both parties are represented by counsel.

For Petitions for Allocation of Parental Responsibilities (where the parties are not married but have children together), the case also will not start until there is **personal service** on the other party. (See above for setting a court proceeding).

For all other filings (such as a Motion), you must always send a copy of any document that you file with the clerk's office to the other party or their attorney and complete a *Certificate of Service (Form JDF 1313)* confirming that you sent the other party an exact copy of any document you have filed with the Court. The forms for dissolution of marriage or civil union, legal separation of marriage or civil union, invalidity of marriage

or civil union or allocation of parental responsibility cases can be purchased from the Clerk's Office or are available at no cost online at **http:/www.courts.state.co.us/forms/Index.cfm**.

What if I need an interpreter? You must inform the Family Court Facilitators Office at 719.452.5104 of the need for interpretive services at least three weeks prior to the date of your Mandatory ISC or court proceeding. A court-appointed interpreter will be scheduled to assist you at no charge. Per Chief Justice Directive 06-03, interpreters must be on the roster of the Colorado Judicial Department Authorized Interpreters to provide interpreter services for the courts.

What if I need a reasonable accommodations under the Americans With Disability Act (ADA)? Please refer to the following website for additional information: https://www.courts.state.co.us/Administration/HR/ADA/info.cfm

What if there are domestic and/or child abuse issues? If a protection order prevents you from meeting with any other party, please notify the Division Clerk or the Family Court Facilitator before your scheduled Mandatory ISC (See Mandatory ISC Section). You will still be required to appear for your Mandatory ISC. A list of domestic and/or child abuse resources is attached to this Order. In the event that there has ever been a formal investigation of child or spousal abuse which involved any law enforcement agency, social services agency, therapist, school or other professional, the following information is encouraged to be provided to the Court at the parties' Temporary Orders hearing: (1) date of any such investigation, (2) the name of the person who was the subject of the investigation, (3) any contact information of the professional(s) involved in the investigation of the abuse alleged, and (4) any court case information regarding such investigation. (See Temporary Orders Section).

What if I don't have an attorney? IF YOU PROCEED WITHOUT AN ATTORNEY (SELF-REPRESENTED), YOU WILL BE HELD TO THE SAME STANDARD AS AN ATTORNEY. A PERSON REPRESENTS HIMSELF OR HERSELF WITHOUT COUNSEL AT HIS OR HER OWN RISK. You will be responsible for following this and all other orders, filing all necessary material with the clerk's office and appearing and representing yourself at all hearings. The court cannot appoint attorneys in domestic cases (except in criminal contempt proceedings). The El Paso County courthouse has a Self-Represented Resource Center located in room S101 to assist you with completing documents.

What if I move? ALL PARTIES ARE RESPONSIBLE FOR INFORMING THE COURT IN WRITING OF THEIR ADDRESS AND PHONE NUMBER by fully completing and filing with the Court a *Domestic Relations Case Information Sheet (form JDF 1000)*, including social security numbers of the parties and children when the case is filed. Failure to do so may result in delay or denial of your decree or support order. The Court will mail documents, including orders and decrees to the address of record for each party. **If you have moved after the filing of the Petition in your case, you must complete and file with the Clerk's Office a *Notice of Change Regarding Contact Information (Form JDF 1312).***

What if I can't be there in person? Parties who reside outside of El Paso County or out of state may request permission to attend Mandatory ISC or court proceedings via telephone under Rule 43, C.R.C.P. by filing the required forms (*JDF 1309 and 1310*) "as soon as practicable" but it is suggested you file the form at least three (3) weeks prior to the hearing or Mandatory ISC date.

MANDATORY INITIAL STATUS CONFERENCE (ISC)

What is the purpose of the Mandatory ISC? The purpose of the Mandatory ISC is to introduce the parties to the case management process and to plan for resolution of the case. The Magistrate or Family Court Facilitator may discuss issues, set deadlines and schedule court dates, including whether temporary orders hearings are needed or if the case can proceed to a permanent orders hearing. Parties appearing at the

Mandatory ISC should be prepared to stipulate to temporary orders, or to proceed immediately to schedule a forthwith hearing on temporary orders, if such immediate hearing is appropriate to the needs of their case.

When and where is the Mandatory ISC held? The Mandatory ISC shall take place within 42 days of filing of the Petition. The Court will schedule the Mandatory ISC at the time of filing the Petition unless one party is represented by counsel, then counsel is responsible for setting. The Family Court Facilitator shall conduct the Mandatory ISC if both parties are Self-Represented. (If either party is represented by an attorney and assigned to Division Y, the Mandatory ISC shall be set and held in Division Y. If the case is assigned to Divisions M, R or X and either party is represented by an attorney, the Mandatory ISC shall be held in the Family Court Facilitator Office, room S116 of the courthouse. If an attorney enters their appearance after a Petition is filed by a Pro Se party, that attorney may file a Notice to Set in the assigned Magistrate's division to reset the Mandatory ISC.) **You cannot unilaterally change the date of the Mandatory ISC.** *NOTE:* Attorneys: Pursuant to Rule 16.2 C.R.C.P. all counsel and parties are required to attend the Mandatory ISC unless you fit under the exceptions 16.2 (c)(1)(C) or (D). **EXCEPTIONS TO THE MANDATORY ISC ARE:** (1) Both parties are represented by counsel and counsel have filed a Stipulated Case Management Plan and a Certificate of Compliance that the mandatory disclosures have been made, or (2) Both parties have filed a completed Affidavit for Decree Without Appearance of Parties (*Form JDF 1201*) with ALL required documents to finalize the case before the Mandatory ISC.

Prior to the Mandatory ISC neither counsel nor parties shall file any paper, documents, motions or other pleadings except as authorized by the Court or in the case of an emergency. This injunction against unauthorized filings does not apply to: the petition, response, motions for orders of protection, motions for service by publication, motions for change of venue, motions contesting jurisdiction of the Court over the parties or subject matter, or to entry, withdrawals and substitutions of counsel. **FAILURE TO APPEAR AT THE MANDATORY ISC MAY RESULT IN THE ASSESSMENT OF ATTORNEY FEES, COSTS OR IN DISMISSAL OF THE CASE!**

What are Temporary Orders? (C.R.S. 14-10-108) A temporary orders hearing can address issues on a temporary basis including allocation of parental responsibility, parenting time, child support, maintenance (alimony), debt payments, use of the home or other property and the award of temporary attorney's fees. At the time of the temporary orders hearing, the parties/counsel shall certify on the record that they have conferred and attempted in good faith to resolve the temporary orders issues. Temporary orders agreements (stipulations) can be reduced to writing and approved as orders of the Court at the Mandatory ISC. Where temporary spousal maintenance is an issue and the combined family income is $75,000 or less, parties should consider the formula provisions of C.R.S. 14-10-114 (2). Any need for Temporary Orders should be raised at the Mandatory ISC. Parenting time between parents is rarely supervised. However, if either party believes that parenting time with the children should be supervised or not permitted at all, any party may file a motion requesting supervised parenting time and the reasons you believe it is needed.

What is Spousal Support? Spousal support can be requested at a Temporary or Final Orders hearing. Spousal Support *Guidelines* will be provided at the Mandatory ISC and may also be found at C.R.S. 14-10-114.

Who are experts? The parties should also be prepared to discuss any need for experts on the date of the Mandatory ISC. This includes discussion of the possibility of mutually acceptable appraisers, evaluators, Child and Family Investigators, Child's Legal Representative or other experts. There is a preference for the Court to appoint only one financial expert per contested issue. Such expert shall be selected by the parties or by the Court. If appropriate, a special master may be appointed by the Court as provided by C.R.C.P. Rule 53.

What are financial disclosures? Each party shall complete a *Sworn Financial Statement (Form JDF 1111)* and shall bring this statement (together with a copy for the opposing party) to the Mandatory ISC. The parties

are ordered to comply with the mandatory disclosures provision of C.R.C.P. Rule 16.2(e)(1-10). For the convenience of self-representing parties, a copy of the **mandatory disclosure requirements is attached to this Order (See 35.1 attached).** Each party shall file a Certificate of Compliance With Mandatory Disclosures (*Form JDF 1104*) with the Court Clerk's Office showing they have complied with the Rule. These disclosures shall be made as soon as is practical, and shall be made within the 42 day period set by the Rule.

FAILURE TO FILE THESE FINANCIAL DOCUMENTS MAY RESULT IN SANCTIONS AGAINST THE NON-COMPLYING PARTY. In order to end a marriage or civil union, the law requires that each party know all of 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 your spouse or partner may result in a fine or other sanction.

What is mediation? Mediation is an opportunity for the parties to work out their disputes with a neutral professional. Pursuant to C.R.S. 13-22-313 mediation or other ADR process is **mandatory** for all domestic matters that have contested issues (even if a party is in custody or lives out of state) unless the Court waives that requirement based on a determination that the case is not appropriate for mediation or other ADR because of domestic violence. C.R.S. 14-10-124 (1.3)(a)-(c) see forms *JDF 608/609*. Parties may choose a qualified private mediator from the community if they can agree on a mediator. Otherwise the parties will schedule with the 4th Judicial District Office of Dispute Resolution online by going to www.gofourth.org/ElPasoCounty/mediation or in person in Room S-023 of the courthouse. The cost of mediation will be split equally unless the parties otherwise agree of the Court orders otherwise. The ODR office will inform the Court when mediation has been completed. Information regarding private mediators can be found in the phone book, online and as follows: El Paso County Bar Association, 719-636-1532 www.elpasocountybar.org

CHILD(REN)

Can I bring my children to court proceedings? **NO**, however, ***free* childcare** for children between 6 weeks through 14 years of age is available through Court Care. Court Care is located in room S140 of the courthouse and can be contacted at 719.452.5499. Because you are now involved in a domestic relations action, the best interest and welfare of your minor child(ren) (i.e.,children under the age of 19 except child support continues through the age of 19) are subject to the jurisdiction of the Court. This Order specifically establishes rules and requirements that will remain in effect throughout the proceedings unless, and until, modified by another Court Order.

MANDATORY PARENTING SEMINAR (CLASS): *Children and Families in Transition Seminar (CFIT)* – All parents who are involved in a domestic relations case must attend a parenting seminar within forty-five (45) days of filing of the case. Information about the CFIT Seminar and cost may be obtained on the following 4th Judicial Website: https://www.courts.state.co.us/Courts/County/Custom.cfm?County_ID=6&Page_ID=209

The seminar is offered three times a month with a cost of $65 (approximately) per person, unless your income qualifies you to have those fees waived. For more information regarding the seminar or to qualify for a fee waiver, please contact C.A.S.A. at 719.447.9898 x1025. The cost of the seminar CANNOT be waived by the Court only by C.A.S.A. **If you live out of county or state, you may take a local parenting seminar approved by other Colorado District Courts.** A list of court-approved providers can be found at the following website:

https://www.courts.state.co.us/userfiles/file/Self_Help/Colorado%20Parenting%20Seminar%20Providers%20%20district%20(8-15).pdf

What is a Parenting Plan? Colorado statutes require that a parenting plan be adopted by the Court in every case including where the child(ren) will reside and decision making responsibilities. The preferred method for

developing a parenting plan is for the parents to discuss and decide how the plan should be structured. If a parenting plan is not submitted by one or both parents, the Court will adopt its own basic parenting plan, after hearing the arguments and testimony. The Colorado Supreme Court has adopted a *Model Parenting Plan (Form JDF 1113)*. This form will be used by the 4th Judicial District. **The Court will not deny parenting time to a parent or require it to be supervised unless the Court makes specific findings under the law.**

How do I obtain child support? The El Paso County Child Support Enforcement Unit (CSEU) offers assistance with the establishment and enforcement of orders for child and family support. Either party may apply for services with CSEU. CSEU may also assist parties with modification of orders when there has been a change of circumstances, including a change in parenting time or income of one or both parties. Applicable fees are assessed as required by the Colorado Department of Human Services. You may apply for child support services with CSEU:

30 E. Pikes Peak, Colorado Springs, CO 80903, 719-457-6331 http://elpasocountycss.com/

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://www.courts.state.co.us/Forms/SubCategory.cfm?Category=Divorce

Family Court Facilitators:

Nicolle Rugh	Michael Vigil	Cecilia Wall
1st Floor Room S116	1st Floor Room S116	1st Floor Room S116
719.452.5103	719.452.5102	719.452.5107
Nicolle.rugh@judicial.state.co.us	michael.vigil@judicial.state.co.us	Cecilia.wall@judicial.state.co.us

Additional Assistance:

Teller County Courthouse
Lori McLeod, SRLC
719.686.8013
Hours: Tuesday-Friday 8am to 4pm

El Paso County Courthouse
Pro Se Help Center – Room S101
719.452.5557
Hours: Monday–Friday from 8am to 430pm

Both parties must comply with this Case Management Order. If a party does not comply, the Court may impose sanctions on the noncompliant party. (This Case Management Order consolidates and supersedes the prior C.M.O., Standard Order to Parents and/or Notice of Applicability issued by the 4th Judicial District).

Dated this 4th day of November, 2015

BY THE COURT

Honorable Gilbert Martinez
Presiding Domestic Judge
El Paso County 4th 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:

Centro de la Familia 122 E. Las Animas St. Colorado Springs, CO 80903 Main: 719-227-9170 Crisis Hotline: 719-337-5346 TDD: 711 (CO Relay) www.elcentrodelafamilia.org	**National Domestic Violence Hotline** 1-800-799-7233 TDD: 1-800-787-3224 www.thehotline.org
DVI – Domestic Violence Initiative *Assistance for those with disabilities – services statewide Main: 303-839-5510 www.dviforwomen.org	**Safety Shelter – Wellness Foundation** (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 www.professionaltherapies.abmp.com
Family Advocacy Program – Army Community Services 6303 Wetzel Ave, Bldg #1526 Fort Carson, CO 80913 Main: 719-526-4590 Crisis Hotline: 1-800-342-9647 TDD: 719-526-1949 www.carson.army.mil (click on ACS)	**TESSA** 435 Gold Pass Heights Colorado Springs, CO 80906 Main: 719-633-1462 Crisis Hotline: 719-633-3819 TDD: 719-633-1462 www.tessacs.org
Family Advocacy Program – USAFA 5136 Community Center Dr. USAFA, CO 80840 719-333-5270 or 719-333-5271	**TESSA** – Cripple Creek 166 E. Bennett Ave Cripple Creek, CO 80813 Main: 719-243-5508 Crisis Hotline: 719-633-3819 TDD: 719-633-1462 www.tessacs.org
Family Advocacy Program – USAF Including Peterson, Cheyenne & Schriever 110 W. Ent Ave, Bldg 725 Peterson AFB, CO 80914 Main: 719-556-8943 Crisis: 719-244-9903	**TESSA** – Divide 11115 US Hwy 24 Divide, CO 80814 Main: 719-243-5508 Crisis Hotline: 719-633-3819 TDD: 719-633-1462 www.tessacs.org

FORM 35.1 – MANDATORY FINANCIAL DISCLOSURES

(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. Children refer to minor children of both parties).

a. Financial Statement. Each party shall provide a complete and signed Sworn Financial Statement and (if required) Supplemental Schedule (*JDF 1111 and/or JDF 111SS*) in the Supreme Court approved forms. See Appendix to chapters 1 to 17A, form 35.2 C.R.C.P.
b. Income Tax Returns (Most Recent 3 Years). Provide 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. Provide all schedules and attachments including W-2's, 1099's and K-1. If a return is not completed at the time of disclosure, provide the documents necessary to prepare the return including W-2's, 1099's and K-1's, copies of extension requests and estimated tax payments.
c. Personal Financial Statements (Last 3 Years). Provide all personal financial statements, statements of assets or liabilities and credit and loan applications prepared during the last three years.
d. Business Financial Statements (Last 3 Years). For every business for which a party has access to financial statements, provide the last three fiscal years' financial statements, all year-to-date financial statements and the same periodic financial statements for the prior year.
e. Real Estate Documents. Provide 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. Provide all documents creating debt, and the most recent debt statement showing the balance and payment terms.
g. Investments. Provide most recent documents identifying each investment and stating the current value.
h. Employment benefits. Provide most recent documents identifying each employment benefit and stating the current value.
i. Retirement Plans. Provide most recent documents identifying each retirement plan and stating the current value and all Plan Summary Descriptions.
j. Bank/Financial Institution Accounts. Provide most recent documents identifying each account at banks and other financial institutions and stating current value.
k. Income Documentation. For each income source in the current and prior calendar year, including income from employment, investment, government programs, gifts, trust distributions, prizes and income from every other source, provide 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. Provide documents that show average monthly employment-related child care expense including child care expense related to parent's education and job search.
m. Insurance Documentation. Provide life, health and property insurance policies and current documents that show beneficiaries, coverage, cost including the portion payable to provide health insurance for children and payment schedule.
n. Extraordinary Children's Expense Documentation. Provide documents that show average monthly expense for all recurring extraordinary children's expenses.