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| <p>4th District Court El Paso and Teller County, Colorado Court Address:</p> <p>In re: <input type="checkbox"/> The Marriage of: <input type="checkbox"/> The Civil Union of: <input type="checkbox"/> Parental Responsibilities concerning:</p> <hr/> <p>Petitioner: and Co-Petitioner/Respondent:</p> | <p style="text-align: center;">▲ COURT USE ONLY ▲</p> <hr/> <p>Case Number:</p> <p>Division Courtroom</p> |
| <p>BLANKET ORDER TO ALTERNATIVE DISPUTE RESOLUTION / MEDIATION IN DOMESTIC CASES (APPLIES TO ALL FAMILY CASES IN EL PASO AND TELLER COUNTIES)</p> | |

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. Self-represented 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.

I. 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 schedule a mediation session with the 4th Judicial District Mediation Office, parties must fill out a [Request for Mediation](#) and return it via email to 04JDMediation@judicial.state.co.us. As an alternative to emailing the form, parties may complete the request and return it via mail to 270 S. Tejon St. Colorado Springs, CO 80903.

Parties can find the Request for Mediation and more information regarding mediation online here → or by visiting the following web address: www.tinyurl.com/4JD-Mediation



All information on that webpage and in this order applies to both El Paso and Teller Counties

NOTE: There are no in person mediation services offered in the 4th Judicial District. All mediation matters including scheduling, questions, and the mediation session itself are handled remotely. Please reach out to 04JDMediation@judicial.state.co.us or call 719-452-5005 for all mediation inquiries.

The party requesting mediation must provide 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 Mediation](#) with the Mediation Office). If both parties are self-represented, the Court will schedule a mediation appointment for a date and time mutually agreed-upon by the parties, and email the notice of mediation to the parties. 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 self-represented party regarding a pending mediation date before scheduling the appointment. The attorney must provide the self-represented party with a copy of the mediation letter at least 4 weeks prior to their mediation appointment.

II. Payment and Attendance

Each party must pay for their own mediation fee, which is \$150 for the mandatory two hour mediation. Any additional hours are at the rate of \$75/hour for each party. Applications for a fee reduction for low income parties may be found at www.tinyurl.com/4JD-Mediation Click on **JDF 211 – Request to Reduce Fees for ODR Services**. Parties requesting a fee reduction must submit this application with supporting documentation (paystubs, bank statements, etc.) at least **14** days prior to the scheduled mediation session. Unless your fee reduction is approved, each party will need to pay \$150 directly to the mediator. The court cannot accept payment on behalf of the mediator. **Applications 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 appear virtually for the mediation appointment, they shall be charged the full cost of mediation (\$300) and may face sanctions by the court. A late cancellation will result in a \$300 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 virtually at the mediation session.

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.

Indicate on the Request for Mediation and notify the mediation staff if an interpreter is needed so it can be scheduled. Typically, third parties (family and friends) are not allowed in mediation. Children are not permitted to be present or listen to mediation proceedings. Court Care in the courthouse has free day care.

The parties are reminded they must have copies of the following for 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 via email at 04JDMediation@judicial.state.co.us or via phone at 719-452-5005. **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.**

Pursuant to §13-22-311, C.R.S., the mediator is required to inform the court that the parties have met with the mediator. This shall be done by completing JDF 1337 (Certificate of Mediation/ADR Compliance) no later than 5 business days after completion of the mediation session. The certificate shall be provided directly to the 4th Judicial Mediation office for processing.

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

BY THE COURT:



Catherine Mitchell Helton
District Court Judge
Presiding Domestic Relations Judge