



State of Colorado
18th Judicial District
Arapahoe, Douglas, Elbert & Lincoln Counties

DOUGLAS COUNTY JUSTICE CENTER
4000 JUSTICE WAYSUITE 2009
CASTLE ROCK, CO 80109
(720)437-6200

Donna M. Stewart
County Court Magistrate

MEMORANDUM

To: All attorneys and litigants
From: Magistrate Donna M Stewart
Subj: Docketing civil cases
Date: January 1, 2022

Please use the following schedule in Div. A

FYI: Appearance of Counsel on Initial Return Date is not required.

Please set your first appearance civil summons returns (RDOS) at 9:30 AM, (HCIT/SCAS) contempt citation/show cause hearings at 10:00 AM on the 1st, 2nd and 3rd Monday, Tuesday and Wednesday of the month (9 days) beginning on full week.

Excluding holidays when court is not in session/judicial conferences.

Do Not set on Thursday or Friday as settings will not be accepted by the court and any court date will be vacated, requiring Plaintiff to reset the date without Notice.



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Donna M. Stewart
 County Court Magistrate

CIVIL MONEY RETURN CALENDAR ONLY

2022 Calendar

January						
Su	Mo	Tu	We	Th	Fr	Sa
						1
2	3	4	5	6	7	8
9	10	11	12	13	14	15
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April						
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May						
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June						
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July						
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Donna M. Stewart
 County Court Magistrate

FED RETURN CALENDAR ONLY

2022 Calendar

January						
Su	Mo	Tu	We	Th	Fr	Sa
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April						
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June						
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July						
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August						
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September						
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October						
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December						
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18	19	20	21	22	23	24
25	26	27	28	29	30	31

FED Summons Returns may be docketed as necessary any Monday, Tuesday or Wednesday of any week at 9:30 A.M.

Excluding holidays and when court is not in session or during judicial conference

All Notices to Set for Trial should indicate that the Division Clerk will be contacted either on a Tuesday or Wednesday between 9:00AM and 10:30 AM for a trial setting by phone or by Email.

Mark Mascarenas / Donte Nash-Romby

720-437-6246

18thDivisionA@judicial.state.co.us

Although the division clerks may be available for assistance, Please do not set any matters during recess/not in session times. If anything is set during recess/not in session times without approval, the court will reject the filing and/or require the matter to be reset without notice.

Please allow up to 48 hrs. for returned phone calls and emails.

Mediation Information

1. *Mandatory Mediation held on Monday's only at courthouse. *Call clerk for dates*
2. *The time slots for mediation are 9:15 Am, 11:30 Am and 1:45 Pm.*
3. *48 Hr. Cancellation requirement. Mediation to be cancelled the Friday prior by noon to avoid mediation fee. Call **303/791-3574** to cancel.*
4. *Plaintiff and or Counsel are required to provide "the Mandatory Mediation Order." and notice to Defendant(s) along with proper notice; proof to the court. Each*
5. *Attorney may not set more than 2 cases for mediation per time slot.*
6. *Mediation to occur within 35-45 days after the return date.*

DOUGLAS COUNTY CIVIL MANDATED MEDIATION MEMORANDUM

From: Judge Donna M. Stewart, County Court Judge Division A

Date: October 11, 2021

ALL CIVIL CASES, UNLESS SPECIFICALLY EXEMPTED BY THE COURT, SHALL BE SET FOR MANDATORY MEDIATION WITH A MEDIATOR FOLLOWING FILING OF AN ANSWER BY THE DEFENDANT IN ACCORDANCE WITH THE FOLLOWING:

Section One General Mediation Requirements

- A.** Plaintiff shall contact Defendant to discuss scheduling of mediation after an answer is filed. **DOCUMENTED FAILURE BY DEFENDANT TO COOPERATE WITH PLAINTIFF IN ARRANGING MEDIATION MAY WELL RESULT IN THE COURT ENTERING DEFAULT JUDGMENT AGAINST DEFENDANT FOR THE RELIEF REQUESTED IN PLAINTIFF'S COMPLAINT.**

- B.** The parties have two choices for mediation: 1) Use the Douglas County On-Site Mediation Program or 2) Use a private mediator agreed to by both the Plaintiff and Defendant. **THE PARTIES WILL BE REQUIRED TO USE THE DOUGLAS COUNTY ON-SITE MEDIATION PROGRAM IF THEY ARE UNABLE TO AGREE UPON WHO TO USE FOR MEDIATION.**

- C.** If both sides agree to the Douglas County On-Site Mediation Program which is typically less expensive than private mediation (and/or if the parties are unable to agree upon who to use for mediation), Plaintiff shall contact the court's staff who will set the case for a two hour mediation session with a Douglas County On-Site Mediation Program mediator at the courthouse, on a date that the court's staff will clear with both Plaintiff and Defendant. Each side shall bring and pay \$60.00 on the date of the mediation. **Details regarding the On-Site Mediation Program and its payment requirements can be found on the next page of this memo. You are responsible for reading and being familiar with them.**

- D.** If the parties choose instead to use a private mediator, they will be responsible for choosing the mediator, for scheduling the mediation session with the private mediator and for paying for the mediation session at the rate required by the private mediator and in compliance with the payment requirements of the private mediator, all of which the court has no control over and which the court will not be involved in.

- E.** If the parties use a private mediator, Plaintiff shall file a brief status report stating the date, time and place of the mediation so the court can set an appropriate non-appearance status review. Plaintiff shall also within 5 days of completion of the mediation session either file the stipulation reached or a second brief status report stating that no agreement was reached, after which the court's staff will contact both sides to set the matter for trial.

- F.** Regardless of whether the parties use the Douglas County On-Site Mediation Program or a private mediator, **within 35 days after the filing of Defendant's answer the parties must**

have the case set for mediation, on a date no more than 75 days after Defendant's answer was filed, unless good cause for a variance is otherwise shown and granted.

- G. FAILURE BY EITHER SIDE TO APPEAR FOR A SCHEDULED MEDIATION SESSION MAY WELL RESULT IN THE COURT ENTERING DEFAULT JUDGMENT AGAINST THE NON-APPEARING PARTY.**
- H. If a party has been deemed indigent, the court may choose to order the case to mediation through the 18th Judicial District's Office of Dispute Resolution where the indigent party's rate would be \$10/hour and the paying party's rate would be \$50/hour.

Section Two: Further Details Regarding the Douglas County On-Site Mediation Program

- A. If the mediation is being done by the Douglas County On-Site Mediation Program at the courthouse, the parties must bring to the mediation session \$60 in cash, money order or credit card to be paid at the start of the mediation session. Attorney checks are accepted and may be made payable to the mediator the day of the mediation. Attorney checks issued in advance must be made payable to **"Elledge Group Inc."** The mediation session may not proceed without full payment from both parties.
- B. In the event the parties want to continue the mediation discussions past the two hour session, they may do so, if the mediation docket allows on that scheduled day. Each party will then be required to pay for the additional time at the end of the session at the rate of \$30 per hour in 15 minute intervals, rounded up.
- C. In the event a party fails to appear for the scheduled mediation, the party in attendance shall still pay the required \$60 at the time of the mediation in compliance with this Order. However, the paying party may request reimbursement as a cost in the case.
- D. Cancellations of a scheduled Douglas County On-Site Mediation Program mediation session must be made by noon on the Friday before the scheduled session by calling 303 791-3574 to avoid paying the mediation fee.
- E. At the conclusion of the Mandatory Mediation session, the parties are to obtain a "compliance sheet" from the mediator. The parties are ordered to go to the Clerk of Court Office's window across the hall from the Division A courtroom immediately upon completion of the Mandatory Mediation and file the "compliance sheet" with the court.

DO NOT LEAVE THE COURTHOUSE UNTIL YOU HAVE FILED THE "COMPLIANCE SHEET" WITH THE COURT SO THAT THE COURT'S STAFF CAN CONTACT YOU FOR INSTRUCTIONS REGARDING FURTHER PROCEEDINGS (IF NECESSARY).