

DISTRICT COURT, _____ COUNTY, COLORADO Court Address: In re the Marriage of: Petitioner: and Respondent/Co-Petitioner:	<hr/> <p style="text-align: center;">Δ Court Use Only Δ</p> <hr/> Case Number: DR Division/Courtroom:
SPOUSAL/PARTNER MAINTENANCE ADVISEMENT PURSUANT TO C.R.S. §14-10-114	

The Colorado Legislature has formulated advisory guidelines for spousal/partner maintenance which may apply in cases where parties have been married at least three (3) years and have combined gross annual income of \$360,000 or less. However, before maintenance could or would be granted to either party, the Court is required to consider a variety of factors, including but not limited to:

- financial resources of the parties, including need and ability to pay
- distribution of marital property
- actual or potential income produced from separate or marital property
- reasonable lifestyle and financial needs established during the marriage
- income, employment and employability of the parties
- historical earnings of the parties
- duration of the marriage
- reasonable ability to independently meet one's own reasonable needs
- age and health status of each party
- need and duration of education for lower earning party
- amount of temporary maintenance and number of months paid, if any
- significant economic or non-economic contributions to the marriage
- any and all other relevant factors

IMPORTANT! This Advisement is required even if you want to waive maintenance for marriages lasting 36+ Months. Marriages less than 36 months in duration do not require the worksheet.

You may either complete the manual calculation on the third page of this advisement **OR** you may complete a Colorado Maintenance Worksheet, **signed** by you and your spouse, and attach the worksheet to this form.

The Maintenance Worksheet can be obtained in one of the following ways:

- (1) You can complete & file the manual worksheet located on Pages 3 & 4 of this document.
- (2) You can download the calculator at:
http://www.courts.state.co.us/Forms/Forms_List.cfm?Form_Type_ID=94
- (3) The Family Court Facilitator will assist the parties in completing this worksheet at the scheduled status conference. Please bring your Sworn Financial Statement (JDF 1111) to the status conference.

(4) You may visit our Self-Help Center located inside the Douglas County Courthouse between the hours of 8:30 AM – 3:00PM (Closed 12:30-1:30). *Please note that there are a few occasions when the Self-Help Center is closed due to meetings and/or trainings.

<u>Column1</u>	71	36.83%	26	124	45.67%	57	177	50.00%	89		
Months of Marriage	72	37.00%	27	125	45.83%	57	178	50.00%	89		
	73	37.17%	27	126	46.00%	58	179	50.00%	90		
<u>Column 2</u>	74	37.33%	28	127	46.17%	59	180	50.00%	90		
Percentage of	75	37.50%	28	128	46.33%	59	181	50.00%	91		
Months Married	76	37.67%	29	129	46.50%	60	182	50.00%	91		
Used to Determine	77	37.83%	29	130	46.67%	61	183	50.00%	92		
Months (Term) of	78	38.00%	30	131	46.83%	61	184	50.00%	92		
Maintenance	79	38.17%	30	132	47.00%	62	185	50.00%	93		
	80	38.33%	31	133	47.17%	63	186	50.00%	93		
<u>Column3</u>	81	38.50%	31	134	47.33%	63	187	50.00%	94		
Suggested	82	38.67%	32	135	47.50%	64	188	50.00%	94		
Guideline for	83	38.83%	32	136	47.67%	65	189	50.00%	95		
Duration of	84	39.00%	33	137	47.83%	66	190	50.00%	95		
Maintenance in	85	39.17%	33	138	48.00%	66	191	50.00%	96		
Months (Term)	86	39.33%	34	139	48.17%	67	192	50.00%	96		
	87	39.50%	34	140	48.33%	68	193	50.00%	97		
<u>1</u>	<u>2</u>	<u>3</u>	88	39.67%	35	141	48.50%	68	194	50.00%	97
36	31.00%	11	89	39.83%	35	142	48.67%	69	195	50.00%	98
37	31.17%	12	90	40.00%	36	143	48.83%	70	196	50.00%	98
38	31.33%	12	91	40.17%	37	144	49.00%	71	197	50.00%	99
39	31.50%	12	92	40.33%	37	145	49.17%	71	198	50.00%	99
40	31.67%	13	93	40.50%	38	146	49.33%	72	199	50.00%	100
41	31.83%	13	94	40.67%	38	147	49.50%	73	200	50.00%	100
42	32.00%	13	95	40.83%	39	148	49.67%	74	201	50.00%	101
43	32.17%	14	96	41.00%	39	149	49.83%	74	202	50.00%	101
44	32.33%	14	97	41.17%	40	150	50.00%	75	203	50.00%	102
45	32.50%	15	98	41.33%	41	151	50.00%	76	204	50.00%	102
46	32.67%	15	99	41.50%	41	152	50.00%	76	205	50.00%	103
47	32.83%	15	100	41.67%	42	153	50.00%	77	206	50.00%	103
48	33.00%	16	101	41.83%	42	154	50.00%	77	207	50.00%	104
49	33.17%	16	102	42.00%	43	155	50.00%	78	208	50.00%	104
50	33.33%	17	103	42.17%	43	156	50.00%	78	209	50.00%	105
51	33.50%	17	104	42.33%	44	157	50.00%	79	210	50.00%	105
52	33.67%	18	105	42.50%	45	158	50.00%	79	211	50.00%	106
53	33.83%	18	106	42.67%	45	159	50.00%	80	212	50.00%	106
54	34.00%	18	107	42.83%	46	160	50.00%	80	213	50.00%	107
55	34.17%	19	108	43.00%	46	161	50.00%	81	214	50.00%	107
56	34.33%	19	109	43.17%	47	162	50.00%	81	215	50.00%	108
57	34.50%	20	110	43.33%	48	163	50.00%	82	216	50.00%	108
58	34.67%	20	111	43.50%	48	164	50.00%	82	217	50.00%	109
59	34.83%	21	112	43.67%	49	165	50.00%	83	218	50.00%	109
60	35.00%	21	113	43.83%	50	166	50.00%	83	219	50.00%	110
61	35.17%	21	114	44.00%	50	167	50.00%	84	220	50.00%	110
62	35.33%	22	115	44.17%	51	168	50.00%	84	221	50.00%	111
63	35.50%	22	116	44.33%	51	169	50.00%	85	222	50.00%	111
64	35.67%	23	117	44.50%	52	170	50.00%	85	223	50.00%	112
65	35.83%	23	118	44.67%	53	171	50.00%	86	224	50.00%	112
66	36.00%	24	119	44.83%	53	172	50.00%	86	225	50.00%	113
67	36.17%	24	120	45.00%	54	173	50.00%	87	226	50.00%	113
68	36.33%	25	121	45.17%	55	174	50.00%	87	227	50.00%	114
69	36.50%	25	122	45.33%	55	175	50.00%	88	228	50.00%	114
70	36.67%	26	123	45.50%	56	176	50.00%	88	229	50.00%	115

230	50.00%	115	233	50.00%	117	236	50.00%	118	239	50.00%	120
231	50.00%	116	234	50.00%	117	237	50.00%	119	240	50.00%	120
232	50.00%	116	235	50.00%	118	238	50.00%	119			

Example: 38% of 78 month marriage results in a suggested maintenance term of 30 months.

ADVISORY MAINTENANCE CALCULATIONS:

The calculation set forth in C.R.S. §14-10-114 subtracts 50% of the gross monthly income of the lower-earning spouse from 40% of the gross monthly income of the higher-earning spouse (capped at 40% of the combined gross monthly income of the parties), for the term of maintenance as shown in the table on the preceding page.

\$ _____	Gross monthly income of Petitioner
\$ _____	Gross monthly income of Co-Petitioner/Respondent
\$ _____	Combined Gross monthly income
A: 40% of highest gross monthly income equals	\$ _____
B: 50% of lowest gross monthly income equals	\$ _____
C: A minus B equals	\$ _____
D: 40% of both parties' combined gross incomes	\$ _____
E: Gross income of lower-income party	\$ _____
F: D minus E equals	\$ _____
G: Maintenance guideline monthly payment (smaller number of line C and F)	\$ _____

To determine the number of months, please see attached table.

Length of marriage in full months _____ Percentage _____%

Guideline Term of Maintenance _____ months.

(H)

These advisory guidelines **DO NOT** create any presumption that maintenance will be ordered, nor the amount or duration of any maintenance award. **Absent an agreement of the parties, the Court retains full discretion to determine the award of maintenance, if any.**

This is an Advisement and you are acknowledging that you are aware of C.R.S. §14-10-114 and, before consideration of the factors set forth on the first page of this Advisement, that the advisory statutory formula would suggest a maintenance award which the Court ***could*** award of:

\$ _____ per month for _____ months to _____.
(G) (H) (name of the lower earning party)

IMPORTANT! By signing below you are not agreeing to pay the amount determined by the calculation; you are simply acknowledging that you have reviewed the guideline:

Petitioner Date Co-Petitioner/Respondent Date

CERTIFICATE OF SERVICE

If only one party signs this Advisement, **you must complete** this Certificate of Service:

I certify that on _____ (date) a true and accurate copy of the **SPOUSAL/PARTNER MAINTENANCE ADVISEMENT PURSUANT TO C.R.S. §14-10-114** was served on the other party by: Hand Delivery, E-filed, Faxed to this number _____, or by placing it in the United States mail, postage pre-paid, and addressed to the following person:

To: _____

Signature of person providing service