

District Court, _____ County, State of Colorado <u>Court Address:</u> In re the Marriage of: _____ PETITIONER And _____ CO-PETITIONER/RESPONDENT	<div style="text-align: center;">Δ Court Use Only Δ</div> <hr/> Case Number: _____ Div: _____
SPOUSAL/PARTNER MAINTENANCE ADVISEMENT PURSUANT TO C.R.S. §14-10-114	

The Colorado Legislature has formulated **ADVISORY MAINTENANCE GUIDELINES** for spousal/partner maintenance which apply in cases where parties have been married at least three (3) years (calculated from the date of marriage to the date the Decree of Dissolution/Legal Separation enters) and have combined gross annual income of \$240,000 or less. However, before maintenance can or will be awarded 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

This Advisement is required even if you want to waive maintenance.

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 download the calculator at:
http://www.courts.state.co.us/Forms/Forms_List.cfm?Form_Type_ID=71.
- (2) The Family Court Facilitator will assist the parties in completing this worksheet at the scheduled status conference.
- (3) You may contact your local Self-Help Center for assistance. Arapahoe County 303-645-6845 and Douglas County 720-437-6112. There may be occasions when the Self-Help Center is closed due to meetings and/or trainings.

Column1	74	37.33%	28	130	46.67%	61	186	50.00%	93		
Months of Marriage	75	37.50%	28	131	46.83%	61	187	50.00%	94		
	76	37.67%	29	132	47.00%	62	188	50.00%	94		
Column 2	77	37.83%	29	133	47.17%	63	189	50.00%	95		
Percentage of	78	38.00%	30	134	47.33%	63	190	50.00%	95		
Months Married	79	38.17%	30	135	47.50%	64	191	50.00%	96		
Used to Determine	80	38.33%	31	136	47.67%	65	192	50.00%	96		
Months (Term) of	81	38.50%	31	137	47.83%	66	193	50.00%	97		
Maintenance	82	38.67%	32	138	48.00%	66	194	50.00%	97		
	83	38.83%	32	139	48.17%	67	195	50.00%	98		
Column3	84	39.00%	33	140	48.33%	68	196	50.00%	98		
Suggested	85	39.17%	33	141	48.50%	68	197	50.00%	99		
Guideline for	86	39.33%	34	142	48.67%	69	198	50.00%	99		
Duration of	87	39.50%	34	143	48.83%	70	199	50.00%	100		
Maintenance in	88	39.67%	35	144	49.00%	71	200	50.00%	100		
Months (Term)	89	39.83%	35	145	49.17%	71	201	50.00%	101		
	90	40.00%	36	146	49.33%	72	202	50.00%	101		
1	2	3	91	40.17%	37	147	49.50%	73	203	50.00%	102
36	31.00%	11	92	40.33%	37	148	49.67%	74	204	50.00%	102
37	31.17%	12	93	40.50%	38	149	49.83%	74	205	50.00%	103
38	31.33%	12	94	40.67%	38	150	50.00%	75	206	50.00%	103
39	31.50%	12	95	40.83%	39	151	50.00%	76	207	50.00%	104
40	31.67%	13	96	41.00%	39	152	50.00%	76	208	50.00%	104
41	31.83%	13	97	41.17%	40	153	50.00%	77	209	50.00%	105
42	32.00%	13	98	41.33%	41	154	50.00%	77	210	50.00%	105
43	32.17%	14	99	41.50%	41	155	50.00%	78	211	50.00%	106
44	32.33%	14	100	41.67%	42	156	50.00%	78	212	50.00%	106
45	32.50%	15	101	41.83%	42	157	50.00%	79	213	50.00%	107
46	32.67%	15	102	42.00%	43	158	50.00%	79	214	50.00%	107
47	32.83%	15	103	42.17%	43	159	50.00%	80	215	50.00%	108
48	33.00%	16	104	42.33%	44	160	50.00%	80	216	50.00%	108
49	33.17%	16	105	42.50%	45	161	50.00%	81	217	50.00%	109
50	33.33%	17	106	42.67%	45	162	50.00%	81	218	50.00%	109
51	33.50%	17	107	42.83%	46	163	50.00%	82	219	50.00%	110
52	33.67%	18	108	43.00%	46	164	50.00%	82	220	50.00%	110
53	33.83%	18	109	43.17%	47	165	50.00%	83	221	50.00%	111
54	34.00%	18	110	43.33%	48	166	50.00%	83	222	50.00%	111
55	34.17%	19	111	43.50%	48	167	50.00%	84	223	50.00%	112
56	34.33%	19	112	43.67%	49	168	50.00%	84	224	50.00%	112
57	34.50%	20	113	43.83%	50	169	50.00%	85	225	50.00%	113
58	34.67%	20	114	44.00%	50	170	50.00%	85	226	50.00%	113
59	34.83%	21	115	44.17%	51	171	50.00%	86	227	50.00%	114
60	35.00%	21	116	44.33%	51	172	50.00%	86	228	50.00%	114
61	35.17%	21	117	44.50%	52	173	50.00%	87	229	50.00%	115
62	35.33%	22	118	44.67%	53	174	50.00%	87	230	50.00%	115
63	35.50%	22	119	44.83%	53	175	50.00%	88	231	50.00%	116
64	35.67%	23	120	45.00%	54	176	50.00%	88	232	50.00%	116
65	35.83%	23	121	45.17%	55	177	50.00%	89	233	50.00%	117
66	36.00%	24	122	45.33%	55	178	50.00%	89	234	50.00%	117
67	36.17%	24	123	45.50%	56	179	50.00%	90	235	50.00%	118
68	36.33%	25	124	45.67%	57	180	50.00%	90	236	50.00%	118
69	36.50%	25	125	45.83%	57	181	50.00%	91	237	50.00%	119
70	36.67%	26	126	46.00%	58	182	50.00%	91	238	50.00%	119
71	36.83%	26	127	46.17%	59	183	50.00%	92	239	50.00%	120
72	37.00%	27	128	46.33%	59	184	50.00%	92	240	50.00%	120
73	37.17%	27	129	46.50%	60	185	50.00%	93			

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

Case Name _____ and _____ Case Number: _____

- We will NOT be married 36 months or more** by the time the Decree of Dissolution of Marriage/Legal Separation enters (SIGN FORM ONLY – DO NOT FILL IN GUIDELINE)
- Service is via Publication** (SIGN FORM ONLY – DO NOT FILL IN GUIDELINE)
- We will be married 36 months or more** by the time the Decree of Dissolution of Marriage/Legal Separation enters (FILL IN THE GUIDELINE BELOW AND SIGN THE FORM)

Advisory Maintenance Guideline Calculation:

Petitioner's adjusted gross monthly income	\$ _____ (A)
Co-Petitioner/Respondent adjusted gross monthly income	\$ _____ (B)
Combined adjusted gross monthly income (Line A plus Line B)	\$ _____ (C)
40% of combined adjusted gross income (Line C multiplied by 0.4)	\$ _____ (D)
Lower amount from Line A or Line B	\$ _____ (E)
Line D minus Line E (if Line D is less than Line E, then Line F is \$0)	\$ _____ (F)

Advisory Maintenance Guideline Amount:

If maintenance IS deductible by the payer for federal income tax purposes and taxable to the recipient use amount from Line F: \$ _____ (F)

If maintenance is NOT deductible by the payor for federal income tax purposes and taxable to the recipient:

If combined gross monthly income (Line C) is \$10,000 or less	
80% of Line F (Line F multiplied by 0.8)	\$ _____ (G)
If combined gross monthly income (Line C) is from \$10,001 to \$20,000:	
75% of Line F (Line F multiplied by 0.75)	\$ _____ (H)

Advisory Maintenance Guideline Summary:

The advisory maintenance guideline calculation would suggest a maintenance award which the Court *could* award of: \$ _____ per month, payable by _____ (higher earning party) to _____ (lower earning party) for _____ months.

IMPORTANT NOTES:

- The values on this form are based upon each party's representation of his/her income and are subject to change if a party's income information changes.
- This form is for informational purposes only and **DOES NOT** constitute an agreement.
- These advisory maintenance guidelines **DO NOT** create any presumption that maintenance will be ordered, or 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.

By signing below you are not agreeing to pay the amount determined by the calculation; you are acknowledging that you have reviewed the guidelines.

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