

BOULDER DISTRICT COURT
DOMESTIC RELATIONS CASE MANAGEMENT ORDER

The following court procedures which apply to your case are described in Rule 16.2 of the Colorado Rules of Civil Procedure. You can obtain a copy of this rule at many public libraries and online at <http://www.lexisnexis.com/hottopic/colorado/>.

INTERPRETERS

If you require a language interpreter, you must inform the court prior to your first court appearance or the next hearing to ensure that an interpreter is present at the Initial Status Conference and at all future Court appearances. A court approved interpreter will be scheduled to assist you at no charge. You must inform the Court Judicial Assistant of the division to which the case is assigned, or the Court Main Clerks office at 303-441-3750 at least five (5) days prior to the date of your Initial Status Conference. Per Chief Justice Directive 06-03, interpreters must be on the roster of Colorado Judicial Department Authorized Interpreters to provide interpreter services for the Courts.

INTÉRPRETES

Si necesita un intérprete debe hacérselo saber al tribunal antes de su primera comparecencia ante el tribunal o antes de su próxima audiencia para asegurarse de que un intérprete esté presente en su reunión inicial de la causa, así como en todas las comparecencias futuras ante el tribunal. Se le programará un intérprete asignado por el tribunal para que le asista sin costo alguno. Deberá informar a la asistente del juez de la división en donde esté programada la causa o al teléfono principal del tribunal al 303-441-3750 por lo menos cinco (5) días antes de su reunión inicial. Según la directiva 06-03 del Juez Presidente, los intérpretes deben figurar en la lista de intérpretes autorizados por el Departamento Judicial de Colorado a fin de poder proveer servicios de interpretación en los tribunales.

CONTACT INFORMATION

To receive Court mailings at their current address, parties must notify the Court of any change in mailing address by filing a completed JDF 1312 Notice of Change Regarding Contact Information. Form JDF 1312 is available on the Colorado Judicial Branch website www.courts.state.co.us under the Self Help/Forms tab or at the Court Resource Center.

INFORMACIÓN DE CONTACTO

A fin de que las partes puedan recibir la correspondencia que el tribunal les envíe por correo postal, las mismas deben notificar al tribunal cualquier cambio en su dirección postal. Para hacerlo, deben completar y presentar el formulario judicial JDF 1312 "Notice of Change Regarding Contact Information" (Notificación de cambios en la información de contacto). Este formulario se encuentra disponible en el sitio web de la Rama Judicial de Colorado en www.courts.state.co.us bajo la pestaña de "Self Help/Forms" (Autoservicio/Formularios) o en el Centro de Recursos Judiciales del tribunal.

MANDATORY INITIAL STATUS CONFERENCE (ISC)

1. The ISC must take place within 42 days of filing the Petition. The Court is mailing a copy of this order to both parties or if represented, to the parties' counsel.

If neither party is represented by an attorney at the time the Petition is filed, your ISC will be held with the Family Court Facilitator or in Division M.

The Family Court Facilitator will only conduct the ISC where neither party is represented by an attorney. If an attorney enters the case for either party before the ISC with the Family Court Facilitator, the ISC will be vacated and must be reset with the assigned Division, by contacting the Division Court Judicial Assistant.

2. The Petitioner must file the return of service or waiver of service prior to the conference. If service has not been completed prior to the ISC, a self-represented Petitioner or Petitioner's counsel shall contact the division to vacate and reset the ISC.
3. At the ISC the parties must be prepared to discuss any disclosures that need to be provided, what experts are needed and the efforts the parties/counsel have made to agree to those experts, whether a temporary parenting or financial hearing is needed and what efforts the parties/counsel have made to meet and confer regarding temporary matters, any special issues that exist, and a timeline for completion of the case. A party can request that the ISC be on the record.
4. Initial Status Conferences will be held remotely by WebEx though June 30, 2021. If your Initial Status Conference is scheduled after June 30, 2021, it may take place in person or remotely, depending on the development of Covid-19, whether members of the public will be allowed to enter the Justice Center at any point in time will depend on directives issued by Chief Judge Bakke. Counsel and parties are advised to plan in the alternative for the hearing to take place in person or by WebEx videoconference or by telephone. The Court will maintain close communication with participants closer to your hearing date as to the guidelines then in effect.
5. **The mandatory ISC will only be vacated if:**
 - a. **Neither party is represented by counsel:** If your case is a Dissolution of Marriage/Legal Separation WITHOUT minor children, and you agree on all aspects of the case and have filed with the Court all of the required documents with the required signatures **at least seven (7) days prior to the ISC.**
 - b. **Both of you are represented by counsel:**
 - You have filed a joint Stipulated Case Management Plan that addresses the timeline for the parties requesting and agreeing on experts, including CFIs and PREs, and both parties have filed a Certificate of Compliance with Mandatory Financial Disclosures (JDF 1104) **at least seven (7) days prior to the ISC.**

OR

- You agree on all aspects of the case and have filed with the Court all of the required documents with the required signatures **at least seven (7) days prior to the ISC.**

PROCEDURES FOR ALL CASES

Motions

6. The only motions that may be filed without permission from the Court are listed in Rule 16.2(c)(4)(A). All other motions may only be filed after obtaining permission from the Court. Requests to file motions, requests for temporary orders, or notifying the court of an emergency matter must be done at a status conference or telephone conference. For further instructions on setting a telephone conference, please see the procedure below.
7. Requests to file a motion may only be made after the moving party (if self-represented) or counsel (if represented by counsel) has conferred with opposing counsel or the self-represented party.

Disclosure

8. Both parties are ordered to comply with the disclosure provisions of Rule 16.2(c). Each party must file their original Sworn Financial Statement (JDF 1111) and (if applicable) Supplemental Schedule (JDF 1111SS), and Certificate of Compliance with Mandatory Financial Disclosures (JDF 1104) with the court and provide the other party with a copy of these forms along with the mandatory disclosures. Do not file the disclosures themselves with the court. Form 35.1 (JDF 1125), provides information regarding the mandatory disclosures. These forms are available for purchase from the Clerk of Court's office or can be found on-line at http://www.courts.state.co.us/Forms/Forms_List.cfm?Form_Type_ID=108.
9. The Sworn Financial Statement (JDF 1111) and (if applicable) Supplemental Schedule (JDF 1111SS), Certificate of Compliance (JDF 1104) and mandatory disclosures set forth in paragraph 4 **should** be complete by the time of the ISC if at all possible, and **must** be completed and filed within 42 days of when the co-petition was filed or when the respondent was served or signed a waiver of service.

Discovery

10. Both parties may conduct discovery as described in Rule 16.2(f). Both parties may use experts as described in Rule 16.2(g). Any issues about discovery or experts should be discussed at a status conference or in a phone conference with the judge. For further instructions on setting a Telephone Conference, please see telephone conference procedure section. Discovery must be concluded 28 days before the hearing. Rule 16.2(f)(5).

REQUIRED PARENTING CLASS

11. All parties with children less than 18 years of age must attend and complete a parenting education class within **63 days of filing the Co-Petition or the date of service or waiver of service.** Only the three providers listed below are approved to present the

required Parenting Seminar. No other providers will satisfy the requirement for a parenting seminar unless you obtain specific authorization at the ISC. All providers below offer English and Spanish class options.

Provider	Website
Children In Between	https://online.divorce-education.com/
Families Adjusting to Change and Transition	https://factcolorado.com/
Boulder County Co-Parenting	https://www.bouldercountycoparenting.com/

DOMESTIC VIOLENCE

12. If your case involves domestic violence you are strongly encouraged to obtain an assessment, counseling, or other available services for your family. If you are on a limited income, or cannot afford such services, then financial assistance may be available to cover some or all of the costs. Attached to this Order is a list of services and potential financial resources.

TELEPHONE CONFERENCE PROCEDURE

13. Parties and counsel are encouraged to utilize cost and time effective methods of resolving all disputes and disagreements before filing motions with the court. The telephone conference is not intended to be a substitute for motions practice. Rather, it can be utilized for modest issues that may be amenable for prompt resolution.

PRIOR to requesting a telephone conference with the judge, counsel must comply with the following procedures:

- a) Telephone conferences should be on the record. The Court will enter a brief summary of the conference in the case file. Counsel shall advise their clients accordingly.
- b) Parties may only request a telephone conference with the judge when both litigants are represented by counsel or, in the judge's discretion, where one party is represented by counsel and the other is self-represented, except for routine scheduling issues. Represented parties may call in to the conference, but they are not required to. If they elect to participate, they are not permitted to speak. Counsel should notify opposing counsel in advance if their client will be present for the telephone conference.
- c) If one or both parties is not represented by counsel, and if the issue pertains to financial matters only, a telephone status conference may be requested with the magistrate by contacting the Division M Court Judicial Assistant, Ms. Jessie Mabon, at jessie.mabon@judicial.state.co.us using the procedure set forth in this section.
- d) Prior to counsel requesting a telephone conference they must have a meaningful, real time, conferral on the issue(s). The Court requires synchronous telephone or face-to-face conferral, not email or voice mail exchanges.

- e) Counsel shall email a request for a telephone conference by identifying the issue(s) proposed for discussion via a brief email to the Court Judicial Assistant. All emails must comply with Administrative Order 10-101 and must be copied to the opposing party. The request is NOT an argumentative or detailed brief; it is only intended give notice of the issues for discussion. No responsive e-mail is necessary.
- f) If the Court approves the request, within 14 days counsel must schedule a phone conference by contacting the Division Court Judicial. If counsel does not contact the Division within 14 days of the request, the request will expire. ONLY those issues raised in the request will be topic(s) for the telephone conference.

PERMANENT ORDERS HEARINGS

Mediation

- 14. You and the other party must participate in mediation together before the court will hear contested permanent orders. You must file a Certificate of Mediation/ADR Compliance (JDF 1337) **at least 21 days prior to a contested permanent orders hearing**, unless you have been exempted from the mediation requirement by the Court. If you fail to timely file a Certificate of Mediation/ADR Compliance, your hearing will be vacated and/or a Show Cause Order may issue. You and the other party may mediate with any mediator of your choosing. Three resources for mediators are:
 - a. Boulder Bar Association (303-440-4758)
http://www.boulder-bar.org/mediators_arbitrators.htm
 - b. State of Colorado Office of Dispute Resolution (720-625-5940)
www.ColoradoODR.org
 - c. Boulder Interdisciplinary Committee (720-593-8992)
<https://www.thebidc.org/members-directory/>

Expert Witnesses

- 15. Expert reports must be provided to the parties 56 days before the hearing. Rebuttal reports must be provided 21 days thereafter. Rule 16.2(g)(5).

Trial Management Certificates

- 16. **If neither party is represented by counsel:** At least 7 days prior to the hearing, each party must file with the Court a brief statement identifying the disputed issues and listing their witnesses and their exhibits, including updated Sworn Financial Statements (JDF 1111) and (if applicable) Supplemental Schedule (JDF 1111SS). Parties are encouraged to use a Pretrial Statement (JDF 1129) for this purpose. Each party must mail a copy of this statement of issues, witness list, exhibit list, exhibits and all attachments to the other party when it is filed with the Court. Rule 16.2(h)(l).
- 17. **If at least one party is represented by counsel:** The parties must file a Joint Trial Management Certificate 7 days before the hearing. The parties must exchange copies of

their exhibits at least 7 days prior to the hearing. The Joint Trial Management Certificate shall thoroughly address all those items described in Rule 16.2(h)(2). If you fail to timely file a Joint Trial Management Certificate a Show Cause Order may issue.

Sanctions

18. At the hearing the Court may exclude witnesses or exhibits that were not disclosed as required by this Order.

Attachments to parties: 1. Domestic Violence Services Advisement
2. Information regarding maintenance, pursuant to §14-10-114, C.R.S.

Organizations Providing Domestic Violence Services
This information is provided pursuant to CRS 14-10-107.8 (revised 10/18/2018)

Asian Pacific Development Center

(303) 923-2920
info@apdc.org
apdc.org
Interpreter (303) 923-2945
clc@apdc.org

Boulder County Social Services

Boulder (303) 441-1000
Longmont (303) 678-6000

DVI – Domestic Violence Initiative

for Women with Disabilities
(303) 839-5510
www.dviforwomen.org

Safehouse Progressive Alliance for Nonviolence *

Boulder (303) 449-8623
24 Hour Crisis Line (303) 444-2424
info@safehousealliance.org
www.safehousealliance.org

Safe Shelter of St. Vrain Valley

(303) 772-0432
24 Hour Crisis Line (303) 772-4422
www.safeshelterofstvrain.org

Division of Criminal Justice
Certified Domestic Violence Service Providers

Acacia Counseling

11811 Upham St., Suite A
Broomfield, CO 80020
(303) 438-9730

Aspen Treatment Services, Inc.

1518 Main St., Suite 202
Louisville, CO 80027
(303) 757-4410
www.aspentreatmentservices.com

Boulder Alcohol Education Center

1525 Spruce St., #100
Boulder, CO 80302
(303) 444-6142
www.boulderalcohol.com

Boulder Men’s Center

711 Walnut St., Suite 200
Boulder, CO 80302
(303) 444-8064

Collective for Psychological Wellness

1911 11th St.
Boulder, CO 80302
(303) 545-9392
www.collectiveforpsychologicalwellness.com

Counseling Services of Longmont *

24 9th Ave
Longmont, CO 80501
(303)772-3853
www.counselingserviceslongmont.org

Edward S. Marshall, Psy.D.

Licensed Clinical Psychologist
8515 Pearl St., Suite 204
Thornton, CO 80229
(303) 587-8767

Journey Counseling Center

1801 Sunset Pl. A
Longmont, CO 80501
(303) 776-1117

Men & Women Seeking Empowerment

100 E. South Boulder Rd., #101 & #105
Lafayette, CO 80026
(303) 665-7037
mwsempowerment.org

Weave Counseling *

711 Walnut St., Suite 200
Boulder, CO 80302
(303) 413-0794
www.weavecounseling.com

*Se Habla Espanol

BOULDER DISTRICT COURT
SPOUSAL/PARTNER MAINTENANCE GUIDELINES INFORMATION
PURSUANT TO §14-10-114, C.R.S.

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

You may either complete the manual maintenance guidelines calculation on the second page of this form **OR** you may complete an electronic Colorado Maintenance Worksheet.

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

- (1) You can download the Colorado maintenance calculator and complete an electronic Colorado Maintenance Worksheet at the following link:
http://www.courts.state.co.us/Forms/Forms_List.cfm?Form_Type_ID=71.
- (2) The Family Court Facilitator may assist you in completing the electronic Colorado Maintenance Worksheet at the ISC. If you are not scheduled for an ISC, please contact the Family Court Facilitator's office at 303-441-3739 or mardi.houston@judicial.state.co.us with any questions. The Self Represented Litigant Coordinators are also available for assistance by calling 303-441-4741.

ADVISORY MAINTENANCE GUIDELINES CALCULATION

Use this form if you do not use the electronic Colorado Maintenance Worksheet available on the judicial website at: http://www.courts.state.co.us/Forms/Forms_List.cfm?Form_Type_ID=71.

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.
- 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.

Advisory Maintenance Guideline Calculation:

Step 1:

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 (a negative number equates to 0)	\$ _____ (F)

Step 2:

If **Line C** is \$10,000 or less: 80% of Line F (Line F multiplied by 0.8) equals: \$ _____ (G)

OR

If **Line C** is \$10,001 to \$20,000: 75% of Line F (Line F multiplied by 0.75) equals: \$ _____ (G)

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

Length of marriage in full months _____ Percentage from table _____ %
 Guideline Term of Maintenance _____ months. (I)

Advisory Maintenance Guideline Summary:

The advisory maintenance guideline calculation would suggest a maintenance award which the Court *could* award of:

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

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

Petitioner, Date

Respondent/ Co-Petitioner, date

14-10-114(8)(a)(I) "Adjusted gross income" means gross income, less preexisting court-ordered child support and alimony or maintenance actually paid by a parent.

MAINTENANCE DURATION TABLE

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