

District Court, Jefferson County, State of Colorado Court Address: 100 Jefferson County Parkway Golden, CO 80401	
_____ Petitioner: and _____ Co-Petitioner/Respondent	Case Number: 2016DR Division:
DOMESTIC RELATIONS INITIAL CASE MANAGEMENT ORDER	

This Case Management Order has been: ☐ E-Filed to
☐ Handed to :
 Date: 2/4/2016

NOTE: Unless the parties filed together as co-petitioners or **Petitioner has this packet served with the Summons and Petition**, the **PETITIONER MUST** (1) mail a copy of this Case Management Order to the respondent within 14 days of the date of this order, and (2) file a Certificate of Mailing with the court. A Certificate of Mailing is attached to this order as *Appendix A* for your use.

NOTICE OF INITIAL STATUS CONFERENCE

Initial Status Conference Date: Time: Location:

IF YOU ARE INCARCERATED AND YOUR CONFERENCE IS SET IN ROOM 2040, YOU MAY CALL 720-772-2712 IN ADVANCE AND REQUEST PERMISSION TO CALL IN ON THE DAY OF YOUR CONFERENCE.

IF YOU DO NOT UNDERSTAND ENGLISH, YOU MUST CALL 720-772-2752 TO REQUEST AN INTERPRETER FOR ALL COURT APPEARANCES. REQUESTS MUST BE MADE AT LEAST 7 DAYS BEFORE YOUR COURT APPEARANCE AND INCLUDE THE CASE NUMBER.

SI USTED NO ENTIENDE INGLÉS, TIENE QUE MARCAR EL 720-772-2752 Y PEDIR UN INTÉRPRETE PARA TODAS SUS COMPARECENCIAS. HAGA SU PEDIDO POR LO MENOS 7 DÍAS ANTES DEL DÍA DE SU COMPARECENCIA. HAGA EL FAVOR DE INCLUIR EL NÚMERO DE SU CASO.

IT IS IN YOUR INTEREST TO READ THIS ORDER CAREFULLY. Failure to comply with this order may result in the dismissal of your case or other sanctions.

Unless both parties signed the Petition in front of a notary, the **petitioner MUST obtain personal service** of the Petition and Summons on the other party and file a Return of Service with the court. See *Instructions for Filing a New Case* for information regarding how to obtain personal service on

the other party. Refer to page 4 of this order to find out how to obtain *Instructions for Filing a New Case*.

DO NOT BRING CHILDREN TO COURT HEARINGS OR CONFERENCES. If children are present, the hearing or conference may be cancelled and parties will be required to reset the date.

Your case is governed by Rule 16.2 of the Colorado Rules of Civil Procedure (C.R.C.P) and by this Case Management Order. The Colorado Rules of Civil Procedure can be found in many public libraries (as part of the Colorado Revised Statutes) and at <http://www.courts.state.co.us>. Click on "Colorado Revised Statutes" under "Legal Research" on the right side of the screen. You will be expected to comply with Rule 16.2 whether or not you have an attorney representing you.

MANDATORY INITIAL STATUS CONFERENCE

- 1) Your Initial Status Conference (ISC) **MUST** take place within 42 days of the filing of the Petition. Only attorneys and parties to the case will be permitted to participate. Your ISC has been scheduled as set forth on page 1. The petitioner should obtain personal service on the respondent as soon as possible and is responsible for providing a copy of this order to the other party.
- 2) **FAILURE TO APPEAR AT THE INITIAL STATUS CONFERENCE OR FAILURE TO COMPLY WITH THIS ORDER MAY RESULT IN DISMISSAL OF YOUR CASE WITHOUT FURTHER NOTICE**, pursuant to C.R.C.P. 121, Section 1-10.
- 3) Parties and attorneys must attend the ISC in person unless they have obtained advance permission to attend by telephone. Parties that live out-of-state may submit a written request to appear by telephone.
- 4) The purpose of the ISC is to (1) review the court's case management process, (2) establish deadlines for completing the court's requirements, and (3) set the next event in your case. Interim orders may be entered by agreement of the parties or by the court to address emergency situations only.
- 5) The ISC will be conducted by the Family Court Facilitator if neither party is represented by counsel at the time the ISC is set. Parties should be prepared to identify which issues are disputed and agreed upon. Parties should bring copies of all forms and documents related to the case. Court staff cannot give legal advice and will not prepare documents for parties. Mandatory financial disclosures should be exchanged prior to the ISC.
- 6) Any need for temporary orders or other motions shall be raised at the Initial Status Conference.
- 7) You must attend the Initial Status Conference unless:
 - The parties agree on all aspects of the case, have filed all of the required documents (see page 4) at least 7 business days before the scheduled ISC date, AND have been excused from attending the ISC by the Domestic Setting Clerk, **720-772-2712**, or the Family Court Facilitator.
 - OR
 - Both parties are represented by counsel AND a **Stipulated Case Management Plan** is filed at least 3 days before the scheduled ISC date. The Stipulated Case Management Plan must provide for filing a Notice to Set Permanent Orders not more than 14 days after the scheduled ISC. Counsel must

contact the Domestic Setting Clerk to determine the appropriate division for setting permanent orders.

MANDATORY FINANCIAL DISCLOSURES

All parties owe each other and the court a duty of full and honest disclosure of all facts that materially affect their interests and those of their children. **All parties shall comply with Rule 16.2(e) regarding the mandatory exchange of financial documents.** This rule requires each party to file a Sworn Financial Statement [form JDF 1111] and a Certificate of Compliance with Mandatory Financial Disclosures [form JDF 1104] with the court. Copies of these 2 forms and copies of the listed mandatory disclosures must be provided to the other party **no later than 42 days** after the respondent is served or a Waiver of Service is signed. Please see C.R.C.P. 16.2(e)(2) and form JDF 1125 for guidance. Each party shall update his or her Sworn Financial Statement and disclosures as needed but in every case not less than 21 days before a contested permanent orders hearing.

PARENTING CLASS REQUIREMENT

In all cases involving children age 17 and younger at the time the case is filed, **both parents MUST attend a parenting class.** Parties must file with the court a certificate of completion from the parenting class provider WITHIN 60 DAYS of the date of this order. The class addresses how changes in the family may affect children, and the parenting skills that may be helpful during and after resolution of the case. Each parent is responsible for his/her own fee. While the provider may reduce the fee for persons who qualify financially, the court cannot waive the fee. *See Appendix B to determine which class you must attend.*

Failure to comply with the order to attend a parenting class may be considered by the court in determining the allocation of decision-making responsibilities, may delay the entry of the decree in your case, and could result in other sanctions including dismissal of your case.

SPOUSAL/PARTNER MAINTENANCE

The Colorado Legislature recently formulated **ADVISORY GUIDELINES** for spousal/partner maintenance which may apply in cases where parties have been married longer than three (3) years and have a combined gross income of up to \$360,000 per year. However, before maintenance could be granted to either party, the Court is required to consider a variety of factors, including but not limited to: the financial resources of the parties, including need and ability to pay; the distribution of marital property; the actual or potential income produced from separate or marital property; the reasonable lifestyle and financial needs established during the marriage; the income, employment and employability of the parties; the historical earnings of the parties; the duration of the marriage; the reasonable ability to independently meet one's own reasonable needs; the age, health, and status of each party; the need and duration of education for a lower earning party; the amount of temporary maintenance and number of months paid, if any; the significant economic or non-economic contributions to the marriage; any and all other relevant factors. The advisory guidelines call for a calculation of 40% of the gross monthly income of the higher earner less 50% of the gross monthly income of the lower earner (capped at 40% of the total income of the parties), factored by the duration of the marriage in full months. **These advisory 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.**

A Maintenance Guidelines Worksheet may be found on the internet at
http://www.courts.state.co.us/Forms/Forms_List.cfm?Form_Type_ID=94

DOMESTIC VIOLENCE

The Colorado legislature has acknowledged the impact of violence in and around the home and the effect that it has on children. The legislature and the court also recognize that children living in homes where domestic violence occurs are at greater risk of emotional, psychological, and physical harm. Since domestic violence affects children in a variety of ways, each child should be assessed on an independent basis. If your case involves domestic violence, you are strongly encouraged to seek an assessment, counseling, or other services for your family. If your children participate in such services, the court may apportion the cost between the parties as it deems appropriate.

A list of domestic violence resources may be obtained at the Domestic window in the Clerk's Office or on the Jefferson County Court website. Refer to page 4 of this order for directions to the website.

ALTERNATIVE DISPUTE RESOLUTION

When parties do not agree on issues in their case, **mediation MUST be completed before a contested permanent orders hearing**. Unless otherwise agreed or ordered by the court, the parties shall share equally the cost of mediation. Mediation efforts must proceed diligently and in good faith, and **parties must file a certificate of completion with the court** once mediation has been completed. Upon motion of a party [see form JDF 1307], the court may issue a waiver if it determines mediation is not appropriate due to a history of domestic violence between the parties.

Parties may attend mediation with an agreed upon private mediator or the Colorado State Judicial Department's Office of Dispute Resolution at 720-625-5940 or 800-888-0001 ext. 55940, (www.coloradoodr.org). Other forms of ADR include Arbitration, Early Neutral Evaluation, Special Masters, and Parenting Plan Consultation. See *Instructions for Filing a New Case* for further information.

SUBMISSION OF EXHIBITS

Parties are ordered to bring their exhibits to trial or hearing in an exhibit book format with copies for the court. The court will instruct parties on when to e-file their exhibits to preserve the court record. Copies of all exhibits must be provided to the other side at least 7 days before any trial or hearing.

GENERAL INFORMATION

- 1) **To obtain the following forms at no cost, visit <http://www.courts.state.co.us/Forms/Index.cfm>.** Under the Forms tab, select Domestic/Family. You may also obtain forms from the Court Clerk's office for a fee. The following forms will be required in your case:
 - **Sworn Financial Statement** [JDF 1111] - Both parties must complete their own.
 - **Certificate of Compliance with Mandatory Financial Disclosures** [JDF 1104] - Both parties must complete their own. Do NOT file the listed disclosures with the court. Give copies to the other party.
 - **Separation Agreement** [JDF 1115] – Required in dissolution of marriage/legal separation cases. Complete this form together if parties have agreement regarding marital property.
 - **Parenting Plan** [JDF 1113] – Required in all cases that include children. Complete this form together

if parties have agreement regarding the children.

- Child Support Worksheet – Download calculator from Colorado State Judicial Branch Homepage. Complete together if parties have agreement regarding child support.
 - Support Order [JDF 1117] – Required if there are children or if spousal maintenance is requested.
 - Decree of Dissolution of Marriage/Legal Separation [JDF 1116] or Order for Allocation of Parental Responsibilities [JDF 1422]
 - Affidavit for Decree without Appearance of Parties [JDF 1201] – Complete together if parties have full agreement and wish not to appear for the final hearing. See page 5 for further requirements.
 - Spousal/Partner Maintenance Advisement–Required in dissolution of marriage/legal separation cases. Located at www.courts.state.co.us, click on courts tab, courts by county, Jefferson, court business resources, divorce and family matters, maintenance advisement. Attached as appendix C.
 - Respondent ONLY must file Response to the Petition [JDF 1103-Dissolution of Marriage/Legal Separation or JDF 1420-Allocation of Parental Responsibilities] - Failure to file a Response may result in permanent orders entering without your input.
- 2) A copy of all documents filed with the court must be provided to the other party. You are responsible for making copies of all documents for the other party and for yourself before filing the originals with the court.
 - 3) Parties without attorneys must file all documents with the main Clerk's Office. You may submit documents in person at the Domestic window in the Clerk's Office (1st floor of courthouse), or you may submit them by mail. The **court's mailing address** is: Clerk of Court, 100 Jefferson County Parkway, Golden, CO 80401.
 - 4) You are responsible for keeping your mailing address current with the court. To change your contact information, complete and file a Notice of Change Regarding Contact Information [form JDF 1312].
 - 5) For additional information regarding dissolution of marriage, legal separation, and allocation of parental responsibilities cases, please see Instructions for Filing a New Case. This packet may be obtained at the Domestic window in the main Clerk's Office or on the **Jefferson County Court website**, which is located at www.courts.state.co.us/Courts/County/Choose.cfm. Please select Jefferson and then Domestic Relations Case Information.

DISSOLUTION WITHOUT APPEARANCE OF PARTIES

If parties agree on **all aspects** of their case and (1) do not have children under age 19, or (2) do have minor children AND **both** parties are represented by attorneys, then parties may file an Affidavit for Decree without Appearance of Parties requesting that they not have to appear at the final hearing. Filing this form does NOT exempt parties from attending the ISC unless the above requirements are also met (see page 2). Parties are responsible for ensuring that all proper documents are filed and that **both parties'** notarized signatures appear on all joint documents.

If you have minor children and either party is not represented by an attorney, parties **must** appear personally in court to obtain a decree of dissolution of marriage or decree of legal separation. If you are seeking a declaration of invalidity of marriage, you **must** appear personally in court to obtain the decree.

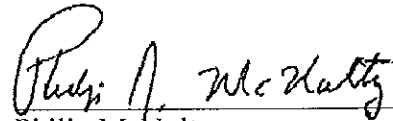
FREE DIVORCE/LEGAL SEPARATION INFORMATIONAL CLINIC

On the **SECOND WEDNESDAY** of each month from 12:00 p.m. to 1:30 p.m., an informational clinic is offered. The clinic is designed to provide information about filing for a simple divorce/legal separation without the assistance of an attorney. The clinic is informational **ONLY** and covers divorce/legal separation procedures and forms.

LOCATION: Jefferson County Court
100 Jefferson County Parkway, Golden, CO 80401

The clinic is held in the Jury Commissioner's Office on the First Floor.

SO ORDERED:

A handwritten signature in cursive script, reading "Philip J. McNulty", written over a horizontal line.

Philip McNulty
Chief Judge

APPENDIX A: CERTIFICATE OF MAILING OF CASE MANAGEMENT ORDER

District Court, Jefferson County, State of Colorado Court Address: 100 Jefferson County Parkway Golden, CO 80401		
In re: <input type="checkbox"/> The Marriage of: <input type="checkbox"/> Parental Responsibilities concerning: _____		
Petitioner: and Co-Petitioner/Respondent:		
Attorney or Party Without Attorney (Name and Address):		COURT USE ONLY
Phone Number: _____ E-mail: _____ FAX Number: _____ Atty. Reg. #: _____		Case Number: _____ Division _____ Courtroom _____
CERTIFICATE OF MAILING OF CASE MANAGEMENT ORDER		

I certify that on _____ (date of delivery) a true and accurate copy of the **Domestic Relations Initial Case Management Order and Notice of Initial Status Conference** scheduled for _____ (date) was provided to the other party by:

- ☐ Hand Delivery
☐ Faxing it to the following number _____
OR
☐ Placing it in the United States mail, postage prepaid, and addressed to the following:

To: _____

Petitioner Signature

Address

City, State, Zip Code

APPENDIX B: PARENTING CLASSES

The parenting class must be a minimum four-hour class that addresses the topics of positive co-parenting and the effects of family conflict on children.

PARENTING CLASS PROVIDERS FOR MARRIED PARENTS (CHOOSE ONE OPTION)	
<u>Online Parenting Programs</u> Online Class www.JeffersonGilpinParentingClass.com	<u>Always Parents: Co-Parenting as Families Change</u> 777 S. Wadsworth Blvd, Bldg 4, #170 Lakewood CO 80226 303-738-2284 x 1 www.alwayscoparenting.com
<u>Parenting After Divorce</u> "Co-Parenting After Divorce" Classes offered several times each month in various locations Classes in Spanish available 303-329-9942 www.parentingafterdivorce.org	<u>Dispute Resolution Professionals, Inc.</u> "In the Best Interest of the Child" 1746 Cole Blvd., Suite 295 Lakewood, CO 80401 303-273-0459 www.disputepro.com/parentingclass
PARENTING CLASS PROVIDERS FOR NEVER MARRIED PARENTS (CHOOSE ONE OPTION)	
<u>Online Parenting Program</u> Online Class www.JeffersonGilpinParentingClass.com	<u>Always Parents: Co-Parenting as Families Change</u> 777 S. Wadsworth Blvd, Bldg 4, #170 Lakewood CO 80226 303-738-2284 x 2 www.alwayscoparenting.com

If you must attend an out-of-state class, it is your responsibility to demonstrate that the class has been provided under the auspices of a licensed mental health professional and satisfies the criteria.

APPENDIX C: SPOUSAL/PARTNER MAINTENANCE ADVISEMENT PURSUANT TO C.R.S. §14-10-114

Jefferson Combined Court, State of Colorado Address: 100 Jefferson County Parkway, Golden, CO 80401	
In re the Marriage of: _____	
PETITIONER	Δ Court Use Only Δ
And _____	Case Number: _____
CO-PETITIONER/RESPONDENT	Div: _____
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

This Advisement is required even if you want to waive maintenance or if you have been married less than 3 years.

You may either complete the manual calculation on the second page of this advisement OR you may complete a Colorado Maintenance Worksheet 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=94
- (2) The Family Court Facilitator will assist the parties in completing this worksheet at the scheduled status conference.
- (3) You may visit our Self-Help Center located on the first floor in suite 1050 between the hours of 8:00 AM – 4:00PM. (There are a few occasions when the Self-Help Center is closed due to meetings and/or trainings).

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

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), factored by the duration of the marriage in full months.

F: D minus E equals \$ _____

(G)

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