

Family Court Facilitation in the 5th JD in Domestic Relations Cases

All Domestic Relations cases require interaction with the Family Court Facilitator (FCF) through an initial status conference and subsequent conferences in all four counties of the 5th JD: Clear Creek, Eagle, Lake and Summit counties. The FCF provides quick access to the court after filing your case, assists in reduction of conflict commonly associated with Domestic Relations cases, and occasionally eliminates the need for court hearings.

The court issues the Domestic Relations Standard Case Management Order upon the initial filing of a case including the Duty to Confer, Notice of Maintenance Statute and a Notice of Initial Status Conference. This Initial Status Conference must take place within 42 days of filing the Petition and is in person. This Initial Status Conference is approximately 20-60 minutes in length, depending on the complexity of the case. At this conference, the FCF clarifies required forms and deadlines and addresses what issues are known, if any, at this point in the process and includes the assistance for parties to reach temporary agreements. If the parties encounter issues that they cannot resolve on their own, the court requires mediation before a hearing can be scheduled with a Judge.

In all Domestic Relations matters, the FCF handles the case as long as there is progress and are able to work toward finalization of the process. Once mediation is held on final orders and agreements are not reached, a telephone status conference is scheduled with the facilitator to confirm this status and a case management conference is then scheduled by telephone with the Judge if both sides are represented. If one party only has counsel, an in person case management conference is scheduled. The Judge will then schedule a subsequent hearing after the case management conference. Following any mediation, a certificate of attendance in mediation is required to be filed.

Post decree issues are reviewed. If a motion is filed for modification, the final orders are reviewed and if parties had agreed to mediation prior to filing a motion with the court, the Judge requires mediation attendance before a court scheduling is set. If no ADR agreement is indicated in their original documents, a status conference is scheduled with the court facilitator.

The 5th JD has an Early Neutral Assessment team and only selected cases are recommended to this process.

Protection orders: If no DR case has been filed and the temporary protection order is filed in the county court, the court asks if a domestic relations case is expected to be filed. If needed, a status conference will be scheduled earlier if circumstances warrant the need.

The 5th JD has implemented a Rural Resource Day for pro se parties with attorneys, legal aid, interpreters, mediators, parenting class providers and counselors providing assistance to unrepresented parties for a half-day session rotating throughout the district as close to a quarterly basis as needed. The first two events have taken place in the Eagle court.