

DISTRICT COURT, WELD COUNTY, COLORADO

Court Address: 901 9th Avenue, Greeley, CO 80631
Mailing Address: P.O. Box 2038, Greeley, CO 80632
Phone: (970) 475-2400

In re the Marriage of/Interest of:

Petitioner:

and

Respondent/Co-Petitioner:

▲ Court Use Only ▲

Case Number:
Division:

**DOMESTIC RELATIONS CASE MANAGEMENT ORDER
DISSOLUTION OF MARRIAGE, DISSOLUTION OF CIVIL UNION,
AND LEGAL SEPARATION WITHOUT CHILDREN**

- Hand delivered to: _____
- Mailed/e-filed to: _____
- Included in service packet for Respondent

Rachel Erickson
Clerk of the Court



Si usted necesita un intérprete tiene que informarle al Tribunal tal como se indica en esta Orden.

SECTION 1 – Parties without an attorney (Page 1)

SECTION 2 – Attorneys and cases in which at least one party is represented by an Attorney (Page 2)

SECTION 3 – All Parties (Page 3-8)

SECTION 1 (Parties without an Attorney)
ORIENTATION

Note: If you do not speak English or Spanish, please see #2(d) below.

1. **Required court date:**
 - a. **Date: Wednesday,**
 - b. **Time: 9:00am** (check-in starts at 8:30 a.m.). Orientation will take an hour and a half.
 - c. **Location:** Court Information Center, first floor, Centennial Center Plaza South at 915 10th Street in Greeley, Colorado.
 - d. **Phone appearances for orientation are not possible. Do not bring friends, family, or children to this orientation.**
2. **You must appear in person.** Exceptions:
 - a. You live out of state. If you live out of state, you are not required to appear at the orientation
 - b. You are incarcerated. If you are incarcerated, the Court will mail you notice of your next court date. It is your responsibility to make arrangements to appear by phone for any status conference or hearing.
 - c. You have hired an attorney. Please see Section 2 number 2 for further instructions.
 - d. Your primary language is NOT English or Spanish. You must file the NOTICE TO THE COURT FOR THE NEED OF A COURT INTERPRETER (see attached form) with the Court. You will then be set for a status conference with the Family Court Facilitator. You will receive notification of the setting in the mail.
3. If both parties fail to appear, your case may be dismissed without further notice to the parties.
4. At orientation if there are no attorneys on the case, you will be scheduled for the Initial Status Conference

5. No paperwork needs to be turned in at orientation.
6. If you have domestic violence or safety concerns, call the Court at (970) 475-2400. The court staff can address your concerns.
7. **Failure to file the required paperwork, failure to appear for orientation, all status conferences, all hearings and failure to update current mailing address and contact information may result in the Court entering permanent orders without your input.**

SECTION 2 (Cases in which at least one party is represented by an Attorney)
INITIAL STATUS CONFERENCE

1. **Required court date:**
 - a. **Date: Thursday,**
 - b. **Time:**
 - c. **Location: Division C, Centennial Center-Plaza South, second floor 915 10th St, Greeley, Colorado.**
2. Attorneys and their clients are not required to attend Orientation under Section 1. Any self-represented party must still attend orientation on the date and time listed on page 1. **The attorney is ordered to serve a copy of this Case Management Order on the Respondent and file a certificate of service with the court.**
3. **If an attorney is retained at any point after the orientation date**, an Entry of Appearance must be filed. If the Initial Status Conference in the case is set with the Family Court Facilitator (shown by Division CFE on the docket), the attorney must reschedule the Initial Status Conference into Division C.
4. If the Initial Status Conference set in Division C does not work for the attorney’s calendar, please reschedule by contacting Division C following the instructions below. There is no need to file a motion to reschedule the Initial Status Conference
5. If both parties are represented by attorneys, and they file a Stipulated Case Management Plan and Certificate of Compliance with Mandatory Disclosures within 42 days of filing, an initial status conference may not be necessary. The Stipulated Case Management Plan may not provide for formal discovery or filing of motions contrary to the terms of this Case Management Order.
6. The attorney must notify all parties, in writing, of the scheduled/rescheduled Status Conference; the notice is to be filed with the court and mailed to the other party (certificate of service required).
7. Unless permission is granted otherwise by motion/order, parties and counsel must appear in person at an attorney-scheduled status conference.

TO RESCHEDULE THE INITIAL STATUS CONFERENCE IF SET IN DIVISION C

Division C - Email anytime melinda.meier@judicial.state.co.us OR leave a voicemail 970-475-2470
 Melinda will respond to your email or return your call as soon as she is able to.

TO RESCHEDULE SUBSEQUENT STATUS CONFERENCES SET IN DIVISION 3, 4, 5, 7 OR 9

Setting times for each Division are between 8:30 a.m. and 10:00 a.m.

Division 3 – Monday or Wednesday (970) 475-2530
 Division 4 – Tuesday or Thursday (970) 475-2540
 Division 5 – Tuesday or Thursday (970) 475-2550
 Division 7 – Monday or Wednesday (970) 475-2570 **OR** email anytime carla.ruby@judicial.state.co.us
 Division 9 – Tuesday or Thursday (970) 475-2590

SECTION 3 (All Parties)

The Court strongly recommends that you obtain a lawyer in this case if you do not already have one. You can represent yourself if you choose. You must follow the Colorado laws, the Colorado Rules of Evidence and the Colorado Rules of Civil Procedure, even if you do not have an attorney.

The Court Information Center is located on the main floor of the Centennial Building, 915 10th Street, Plaza South Building, Greeley, Colorado; personnel are able to help access forms and guide in making sure forms are complete. Computers and printers are also available there for public use.

REQUIRED PAPERWORK

To obtain the following forms, please visit: www.courts.state.co.us. You also may obtain them from the Court Information Center (CIC) for a fee.

Petitioner:

- Complete Personal Service if the other party did not sign the Petition when it was filed.** In order for the Court to hear your case, your spouse must be personally served by someone over the age of 18, who is not a party to this case with copies of the documents (Petition, Summons, Case Information Sheet and Case Management Order).
- Provide Proof of Service to the Court.** Once you obtain proof of service (notarized Return of Service), such proof must be provided to the Court. There is a mandatory 91-day waiting period before your Dissolution of Marriage/Civil Union or Legal Separation can be final. The 91-day waiting period begins once the documents have been served on the other party or when the Petition is filed, if filed jointly.
 - Sworn Financial Statement (JDF 1111).
 - Certificate of Compliance (JDF 1104).
The disclosures listed in JDF 1104 are to be provided to the other party. They are not to be filed with the Court, unless specifically ordered by the Court.
 - Proposed Decree of Dissolution of Marriage/Legal Separation (JDF 1116) or Civil Union (JDF 1257)
 - Proposed Support Order (JDF 1117) if Maintenance is to be ordered.

Co-Petitioner/Respondent:

- Response to the Petition (JDF 1103) (JDF 1252 for Civil Union) **RESPONDENT ONLY. Failure to file a Response may result in orders entering without your input.**
- Sworn Financial Statement (JDF 1111).
- Certificate of Compliance (JDF 1104).
The disclosures listed in JDF 1104 are to be provided to the other party. They are not to be filed with the Court, unless specifically ordered by the Court.

***Complete these joint forms together:**

- Separation Agreement (JDF 1115) (JDF 1256 for Civil Union)
- Maintenance Worksheet – The calculator must be downloaded and be found at the following link: https://www.courts.state.co.us/Forms/Forms_List.cfm?Form_Type_ID=94 The program you will download is the Family Law Software.
- Affidavit for Decree without Appearance of Parties (JDF-1201)

****If there is a restraining order or protection order that prohibits contact, DO NOT complete these forms together.**

PAPERWORK, PARTICIPATION AND CONTACT INFORMATION

- Failure to file the required paperwork, failure to appear for orientation, all status conferences, all hearings and failure to update current mailing address and contact information may result in the Court entering permanent orders without your input.

RULE 121/ SUBMISSION OF PROPOSED ORDERS

- The parties are hereby notified that all objections to the form of any proposed order shall be made in writing, to the court, within seven (7) days of the date of receiving a copy of the proposed order. The court authorizes the seven (7) day response time pursuant to C.R.C.P. rule 121. If no objections have been filed with the court within the seven (7) days, the proposed order will be filed with the court for immediate signature
- All proposed orders including proposed maintenance worksheets must contain either both parties' signature approving it as to form or a Rule 121 statement and Certificate of Service showing when the proposed order was submitted to the opposing party.
- Attorneys/Pro Se parties are responsible for filing a proposed Decree (JDF-1116) and a Support Order (JDF-1117) if there are to be any orders of support regardless if the information is contained elsewhere.

DISCLOSURE/DISCOVERY

- All parties owe each other and the court a full and honest disclosure of all financial information that affects their interests. Disclosure shall be conducted in accordance with the duty of candor owing among those whose domestic issues are to be resolved under Rule 16.2.
- All items that must be disclosed and exchanged are listed in Rule 16.2(e)(2) and on Form JDF 1125. These disclosures must be exchanged no later than forty-two (42) days after service on the other party.
- After you have exchanged the required information, you may need more information in order to resolve your case. Try to get it by informally asking for it or writing a letter to the other party or counsel. If you do not receive what you need, the court can order that it be provided to you.
- **No formal discovery, including that discovery authorized by Rule 16.2(f)(3), shall commence without authorization of the Court.**

MEDIATION

- Mediation is required in all cases if there are not full agreements, except where there may be a statutory exception.
- You must prove you attended and cooperated with mediation before a final hearing will be scheduled.
- Parties will be expected to pay their portion of the mediation fees at least one week prior to the mediation session.

TEMPORARY ORDERS AND OTHER MOTIONS

- If you are unable to agree on temporary issues (for example, maintenance, who will live in the house, who will pay bills), you will be able to discuss this at the Initial Status Conference.
- If you are still not able to reach agreements at the Initial Status Conference, a hearing may be scheduled.
- **No one, including attorneys, are to file any written motions except as authorized by the court.¹**

CONSENT TO MAGISTRATE AUTHORITY

- You may consent to having your case heard before a Magistrate.

¹ This restriction does not apply to motions challenging the court's jurisdiction, change of venue, service and consolidation, protection orders, motions pursuant to §14-10-129(4), contempt, motions to amend the petition or response, withdrawal or substitution of counsel, motions to seal or limit access to the court file, motions in limine related to evidentiary issues, motions for review of a magistrate's order, stipulated agreements, default, or motions filed pursuant to Rule 59 or 60, CRCP. In order to obtain permission to file a motion, contact the clerk in the division to which your case is assigned.

- Orders issued by a Magistrate with consent may only be appealed pursuant to Colorado Rules of Appellate Procedure in the same manner as an order or judgment of the district court. *See* Rule 7(b) of the Colorado Rules for Magistrates.

COLORADO LAW AND COURT RULES

- The Colorado Rules of Civil Procedure (CRCP) 16.2, and this order, govern your case.
- You can find the Rules of Civil Procedure in many public libraries (as part of the Colorado Revised Statutes).
- They are on the internet at <http://www.lexisnexis.com/hottopics/colorado>.
- The Colorado laws governing dissolution of marriage start at C.R.S. 14-10-101.
- They are on the internet at <http://www.michie.com/colorado>.

MAINTENANCE

- Parties to cases involving Petitions for Dissolution of Marriage/Civil Union, Legal Separation, or Declarations of Invalidity **filed on or after January 1, 2014** must acknowledge in both the Separation Agreement (JDF 1115) and, if applicable, the Affidavit for Decree Without Appearance of the Parties for Marriage/Legal Separation (JDF 1201) or Civil Union (JDF-1257) that they have reviewed the maintenance guidelines set forth in 14-10-114, C.R.S.

SANCTIONS

- Sanctions are penalties for failure to follow this or any other court order.
- Sanctions may include:
 - Precluding a party who fails to file a Response from presenting testimony or participating in a hearing. The court can prohibit a party who fails to file Sworn Financial Statement or provide required financial disclosure from testifying or admitting non-disclosed evidence.
 - The court can exclude other evidence or witness testimony, grant the request of one party without hearing from the other, or schedule a hearing for the offending party to show why he/she should not be sanctioned by the Court.
 - The case can also be closed for failure to prosecute; this can be done without notice to the offending party.

DISSOLUTION OF MARRIAGE, LEGAL SEPARATION AND CIVIL UNION BY AFFIDAVIT

- If you do not have minor children and if you have agreed upon all aspects of your Separation Agreement, you may be divorced or legally separated by Affidavit Without Appearance of Parties. Marriage/Legal Separation (JDF-1201) or Civil Union (JDF-1257).
- In all cases, with no exceptions, you are required to file a Sworn Financial Statement with the court.

COURT INTERPRETER

Pursuant to Chief Justice Directive 06-03, as modified on June 28, 2011, “The court shall assign and pay for language interpretation for all parties in interest* during or ancillary to a court proceeding.” A court proceeding for which an interpreter will be provided includes any hearing, trial or other appearance before any Colorado state court in action, appeal, or other proceeding, including any matter conducted by a judicial officer.

*CJD 06-03 I.K. Party in Interest – A party to a case; a victim; a witness; the parent, legal guardian, or custodian of a minor party; and the legal guardian or custodian of an adult party.

- If an interpreter is required for this case, the attorney or party if self-represented shall notify the court in writing at least thirty (30) days prior to the court proceeding for which an interpreter is required and the specific language being requested (e.g. Spanish, Russian, etc.). by completing and filing with the court a ‘NOTICE TO THE COURT OF THE NEED FOR A COURT INTERPRETER’. (See blank Notice attached hereto).
 - It is that party’s responsibility to notify the court if those services are not needed.
 - Notification of cancelation of the interpreter must be provided to the court at least seventy-two (72) hours prior to the date of the scheduled court proceeding.

- If an interpreter is cancelled within seventy-two (72) hours (including non-business hours) of the assignment start time, and rescheduling has not been possible, the interpreter shall be paid for the scheduled time up to a maximum of sixteen (16) hours corresponding to the first sixteen (16) hours of the shift assignment.
- An interpreter (or a pair of interpreters if set for 2 hours or longer) will be provided if the parties are subject to a court order to participate in mediation.
 - Parties and/or their attorneys must make arrangements with the Managing Court Interpreter Luis Mendoza (email preferred) luis.mendoza@judicial.state.co.us or 970-475-2680 prior to any mediation session.
 - All mediation sessions with a court-provided interpreter must occur at the Weld County Courthouse.
 - If you fail to appear at your scheduled mediation appointment or do not notify the Managing Court Interpreter within 1 week of the mediation appointment that interpreter services are not required, you may be assessed interpreter cancellation fees.

WELD COUNTY CHILD SUPPORT SERVICES

If the Department of Human Services, Child Support Services, is a party to this action, any stipulation regarding child support must also be reviewed by the Department. Additionally, all parties are hereby put on notice that the Department of Human Services, Child Support Services will NOT be required to participate in the resolution of this post-decree motion unless (1) the Department decides to participate, (2) the Court orders the Department's participation upon a party's request or upon the Court's own motion, or (3) the motion is brought by Child Support Services.

SUBMISSIONS OF EXHIBITS FOR TRIAL AND HEARINGS

- The parties shall comply with Chief Justice Directive 11-01.
- To that extent, all documents containing the parties' financial information, income tax returns, credit reports, separation agreements, and reports containing custody investigations that are submitted electronically as an exhibit for a hearing or trial, must be electronically submitted as a sealed document.

The Court adopts this Case Management Order pursuant to C.R.C.P. 16.2(b).

Dated: March 29, 2018

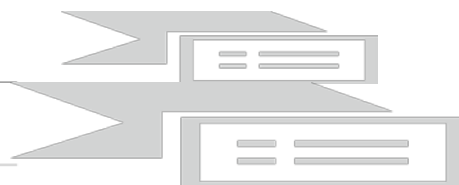
BY THE COURT:


James F. Hartmann
Chief Judge


Elizabeth Strobel
District Court Judge


W. Troy Haase
District Court Judge


Ryan Kamada
District Court Magistrate



ADVISEMENT OF AVAILABLE DOMESTIC VIOLENCE SERVICES:

Domestic violence is a pervasive problem in society. A significant portion of domestic violence in society occurs in or near the home. Research shows that children in a home where domestic violence occurs are at greater risk of emotional, psychological, and physical harm. Studies have found that eighty to ninety percent of the children living in homes with domestic violence are aware of the violence. Emerging research has established that these children are at greater risk of the following: psychological, social, and behavioral problems; higher rates of academic problems; more physical illnesses, particularly stress-associated disorders; and a greater propensity to exhibit aggressive and violent behavior, sometimes carrying violent and violence-tolerant roles to their adult relationships. Studies have also noted that children are affected to varying degrees by witnessing violence in the home, and each child should be assessed on an independent basis.

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. Call the following for domestic violence services and potential financial resources available in your area:

A Woman’s Place Inc..... (970) 351-0476 Greeley

ARC Counseling Services..... (970) 352-6537 Greeley

DVI – Domestic Violence Initiative (303) 839-5510
Assistance for Disabled – services statewide.

Perklen Center (Formerly IGTS)..... (970) 353-8171 Greeley

North Range Behavioral Health(970) 341-2120 Greeley

North Range Behavioral Health (303) 857-2723 Ft. Lupton

Life Skills (970) 590-4635 Greeley

Project Safeguard..... (303) 637-7761 Brighton

If your children participate in assessments or counseling related to domestic violence, the court shall apportion the costs of such services between the parties, as it deems appropriate.

District Court, Weld County, State of Colorado Court Address: 901 9 th Avenue, Greeley, CO 80631 Mailing Address: P.O. Box 2038, Greeley, CO 80632 Phone: (970) 475-2400	▲ COURT USE ONLY ▲
Parties: Petitioner: _____ Respondent/Co-Petitioner: _____	
	Case Number: _____ Division ____
NOTICE TO THE COURT OF THE NEED FOR A COURT INTERPRETER	

Pursuant to 19th Judicial District Administrative Order 2015-10, notice is hereby provided to the court that a court interpreter is needed for this case.

1. The language(s) requested is/are (please list all languages requested):

2. The person needing a court interpreter is a (please check all that apply):

- Party
- Witness
- Victim
- Parent, custodian or guardian of a minor party or victim
- Legal guardian or custodian of an adult

3. The name(s) of the person(s) who need an interpreter are:

Submitted by:

Printed name

Signature

Date