

ORDER TO CONTACT FAMILY COURT FACILITATOR

Whereas, in an effort to promote access to justice, and to save both Judicial Assistant and Family Court Facilitator (FCF) time, whenever parties become involved in a domestic relations proceeding, such parties are ordered to meet with the Family Court Facilitator or an Outside Mediator to discuss issues concerning the resolution of this action. This Order is issued as an amendment to Administrative Order 16-07.

Now, therefore, it is Ordered as follows:

1. If Petitioner files alone, Petitioner shall obtain service on Respondent and file, or arrange for the filing of, the Return of Service with the court within three (3) days of service. Petitioner shall contact the Family Court Facilitator within seven (7) days of filing the Petition to verify service. If Respondent has been served, the FCF will set an Initial Status Conference and send written notice of date and time of said conference to all parties and/or attorneys of record.
2. If the parties file together as co-petitioners, the FCF will, within seven (7) days, send notice to all parties and/or attorneys of record of the date and time of the Initial Status Conference.
3. The parties and their attorneys, if so represented, shall appear by telephone for the Initial Status Conference by calling the FCF's bridge line at 719-336-8970 and entering access code 8929#. The Initial Status Conference should last approximately ten (10) to twenty (20) minutes.
4. At the Initial Status Conference the FCF shall set deadlines for the exchange between the parties of Sworn Financial Statements and Mandatory Disclosures, completion of parenting seminars, when required, set a date, time and place for the parties to meet with the FCF in a facilitation conference, and address any other relevant issues. At the conclusion of the Initial Status Conference, the FCF, if no parties are represented by attorney, shall issue a summary of the conference and all corresponding deadlines in the case. Counsel for Petitioner, if represented and, if not, counsel for Respondent shall submit to the court a proposed Case Management Order by a date to be determined at the Initial Status Conference.

5. If, by the date of the Initial Status Conference, Respondent has not yet filed a Response to the petition, the FCF shall set a date by which a response must be filed.
6. If, during the Initial Status Conference, any unrepresented party announces an intention that they will be represented by an attorney, the FCF shall set a date by which any attorney must enter their appearance.
7. If needed, any attorney entering the case after the Initial Status Conference may request an additional status conference. The requesting attorney must contact the FCF within seven (7) days of the attorney's entry of appearance to obtain a date and time for a setting with the FCF for an additional Initial Status Conference. The requesting attorney shall send the Notice to Set to all parties and attorneys, if so represented. The additional Initial Status Conference shall be set for a date no earlier than seven (7) days nor more than fourteen (14) days after the Notice to Set is issued. At the conclusion of this additional Initial Status Conference, a Case Management Order or, if necessary, an amended Case Management Order shall be provided to the FCF by the attorneys of record if both parties are represented or, if only one party is represented, by that party's attorney.
8. The Facilitation Conference with the FCF shall be for the purpose of resolving all outstanding issues between the parties. The attorneys for any represented parties shall be authorized to attend all conferences referenced herein. All parties and all attorneys of record shall attend the Facilitation Conference in person unless telephonic appearance is authorized for good cause and is granted by the Court. Should the FCF determine in his/her opinion that an attorney is obstructive to the facilitation process or if there is lack of progress, the FCF may terminate the conference and immediately report termination to the Court. If termination occurs for any reason, the FCF shall issue a report to the Court setting forth those issues that have been resolved and all outstanding issues that require resolution. Either party may then contact the clerk of the court to set a temporary orders hearing, a motions hearing, or a permanent orders hearing.
9. All parties and attorneys, if they are represented, should understand that facilitation is not mediation and, as such, the FCF is not bound by statutes or rules concerning mediation.
10. In the alternative, the parties at any time, upon agreement, are authorized to contact a mediator in an effort to obtain resolution of their issues. Written notification of any such intent to mediate shall be submitted to the court with a copy provided to the FCF. The parties are required to file an initial mediation status report no later than forty-nine (49) days after the notice of intent to engage in mediation is given and every thirty-five (35) days thereafter. The Court may issue an order at any time after the first mediation report is due requiring a progress report.

11. Unless good cause is shown or the parties present a fully agreed upon Parenting Plan and/or a Separation Agreement, the parties shall not be authorized to obtain a motions hearing, temporary orders hearing, or permanent orders hearing until they have made a good faith effort at facilitation with the FCF or mediation with an outside mediator.

12. The parties or their attorneys may contact the Family Court Facilitator, Cindie Farmer, in person at 301 South Main Street, Suite 300, Lamar, CO 81052 or by phone at 719-336-8929.


13. A copy of this order shall be given to Petitioner and Co-Petitioner upon filing a domestic relations action. A copy shall also be served on Respondent with the petition and summons.

This policy is effective upon execution.

DATED this 13 day of December, 2017.

BY THE COURT:


STANLEY A. BRINKLEY, CHIEF JUDGE


MICHAEL DAVIDSON, DISTRICT JUDGE