

**DISTRICT COURT, WELD COUNTY, COLORADO**

Court Address: 901 9<sup>th</sup> Avenue, Greeley, CO 80631  
Mailing Address: P.O. Box 2038, Greeley, CO 80632  
(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 (12/15/14)**

- ☐ Hand delivered to:  
☐ Delivered via attorney tray to: \_\_\_\_\_  
☐ Mailed/e-filed to: \_\_\_\_\_  
☐ Included in service packet for Respondent



*Matthew A. Walker*

Date: February 2, 2015

Clerk of the Court

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

**ORIENTATION**

1. Your orientation **SHALL** take place within 42 days of filing your case. This orientation will be on **Wednesday, January 7, 2015 at 9:00 a.m. in the First Appearance Center, second floor of Centennial Center Plaza South, 915 10<sup>th</sup> Street in Greeley, Colorado.** Parties who are represented by attorneys do not have to attend orientation. Parties who are self-represented must attend.
2. The purpose of this required orientation is to inform parties of how Weld County manages Dissolution of Marriage, Dissolution of Civil Union, and Legal Separation cases.
3. You must appear in person at this orientation unless you live out of state, are in custody, or have hired an attorney. Phone appearances for this orientation are not possible.
4. At the orientation, we will schedule a follow-up status conference that will be approximately two weeks after the orientation. You will be required to turn in completed paperwork and discuss the progress of your case. If you are in custody, the Court will mail you notice of your next court date.
5. If you live out of state, you may appear by phone for the status conference. You must contact the Family Court Facilitator PRIOR to the status conference to make arrangements.
6. Orientations and status conferences are intended for parties only. Do not bring witnesses or children.
7. No paperwork needs to be turned in at the orientation. Please bring your calendar/planner to this orientation to schedule your follow-up status conference appointment.
8. If you have domestic violence or safety concerns about attending this orientation or any status conference with the other party, tell us. Call the Court at (970) 475-2400. The court staff can address your concerns. Additional domestic violence services are available. A list of providers is attached.

## **SELF-REPRESENTED PARTIES (Parties that do not have an Attorney):**

The Court strongly recommends that you obtain a lawyer in this case. 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 19<sup>th</sup> Judicial District Court Information Center is located on the main floor of the Centennial Building, 915 10<sup>th</sup> Street, Greeley, Colorado; personnel are able to help access forms, guide in making sure forms are complete, and locate the rules of civil procedure and the statutes and rules of evidence governing your case. Computers and printers are also available there for public use.

To obtain the following forms, please visit: [www.courts.state.co.us](http://www.courts.state.co.us). Under the Forms tab you will find the Domestic/Family section. Or you may obtain them from the Clerk's office 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 a disinterested and unrelated person who is 18 years or older 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 divorce or legal separation can be final. The 91-day waiting period begins once the documents have been served to the other party or when the Petition is filed, if filed jointly.
- ☐ **Complete Forms:**
  - ☐ Sworn Financial Statement (JDF 1111) and attach copies of your most recent ninety (90) days of paystubs. This form must be filed with the court.
  - ☐ Certificate of Compliance (JDF 1104) this form must be filed with the court. A list of all documents that must be exchanged is attached to this order (JDF 1125)  
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.
  - ☐ Decree of Dissolution of Marriage or Legal Separation (JDF 1116) (JDF 1257 for Civil Union)

### **Co-Petitioner/Respondent:**

- ☐ **Complete Forms:**
  - ☐ Response to the Petition (JDF 1103) (JDF 1252 for Civil Union) **RESPONDENT ONLY.**  
**Failure to file a Response may result in permanent orders entering without your input.**
  - ☐ Sworn Financial Statement (JDF 1111) and attach copies of your most recent ninety (90) days of paystubs. This form must be filed with the court.
  - ☐ Certificate of Compliance (JDF 1104) this form must be filed with the court.  
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 if you have property (real estate, vehicles, debts, etc):**

- ☐ Separation Agreement (JDF 1115) (JDF 1256 for Civil Union)
- ☐ Support Order (JDF 1117) if maintenance is to be ordered.
- ☐ Affidavit for Decree without Appearance of Parties (JDF 1201) (JDF 1258 for Civil Union)  
\*\*ONLY if you have full agreements and no children. See page 5 for more information.

### **\*Complete these joint forms together if you have children (and no other order exists for them):**

- ☐ Parenting Plan (JDF 1113) (JDF 1273 for Civil Union)
- ☐ Child Support worksheet (Both electronic and manual forms are on the website).
- ☐ Support Order (JDF 1117)
- ☐ Parenting Class (Parties are not required to attend class together)  
**All parties with children must attend a parenting after separation or divorce class.** A list of classes is attached (page 7). The class provider will give you a certificate to file with the Court to show you attended the class.

## **ATTORNEYS and parties that have an attorney:**

1. Attorneys and their clients are not required to attend the Orientation. If only one party is represented by an attorney, the self-represented party must still attend the orientation on the aforementioned date and time. The attorney is ordered to serve a copy of this Case Management Order on the Respondent.
2. If one or more party is represented, the attorney(s) has twenty (20) days from the date the petition is filed to contact the Division to set an **initial status conference** during the Divisions setting times set forth below. Appearance at the initial status conference is **mandatory**.
3. 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 CMO.
4. **If an attorney is retained at any point after the orientation date**, an Entry of Appearance must be filed. If the next Status Conference in the case is set with the Family Court Facilitator (shown by room or division CFE or CFL), the attorney must reset into the division to which the original case was assigned (3, 7, or 9). The attorney must notify all parties, in writing, of the rescheduled date; the notice is to be filed with the court. The notice is to specifically state that the Status Conference with CFE or CFL has been vacated. Unless permission is granted otherwise, parties and counsel must appear in person at an attorney-scheduled status conference. Attorneys must call during the setting times set forth below:

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 7 - Monday or Wednesday	970-475-2570
Division 9 - Tuesday or Thursday	970-475-2590

## **IMPORTANT INFORMATION FOR ALL PARTIES:**

**\*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 and complete mandatory disclosures and exchanges.**

### **DISCLOSURE/DISCOVERY**

All parties owe each other and the court full and honest disclosure of all financial information that affects their interests and the needs of their children. 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. 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.

After you have exchanged the required information, you may need more information in order to resolve your case. Try to get it, at first, 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. Talk to the Court Facilitator or Judge about this issue at the next status conference. **No formal discovery, including that discovery authorized by Rule 16.2(f)(3), shall commence without authorization of the Court.**

## **TEMPORARY ORDERS AND OTHER MOTIONS**

If you are unable to agree on temporary issues (for example, where the children will live, when they will spend time with the other parent, child support, maintenance, who will live in the house, who will pay bills), you will be able to discuss this with the Judicial Officer or the Family Court Facilitator at the Initial Status Conference. If you cannot agree at that time, a hearing may be scheduled. You must obtain permission to file a Motion for Temporary Orders; do this by contacting the division to which your case is assigned; include the date on which you were granted permission in the motion. **No one, including attorneys, are to file any written motions except as authorized by the court.<sup>1</sup>**

## **REQUIRED PAPERWORK AND ATTENDANCE/PARTICIPATION**

Failure to file the required paperwork, failure to appear for orientation, all status conferences, and all hearings may result in the Court entering permanent orders without your input.

## **CONSENT TO MAGISTRATE AUTHORITY**

You may consent to having your case heard before a Magistrate. After you consent to Magistrate authority under Rule 4, Colorado Rules for Magistrates, you cannot withdraw it. Orders issued by a Magistrate with consent may only be appealed pursuant to 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. You can find them in many public libraries. They are in Title 14 of the Colorado Revised Statutes. They are on the internet at <http://www.michie.com/colorado>

## **MAINTENANCE**

Parties to cases involving Petitions for Dissolution, 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 (JDF 1201) that they have reviewed the maintenance guidelines set forth in 14-10-114, C.R.S. The calculator for the maintenance guidelines can be found at the following link:

[http://www.courts.state.co.us/Forms/Forms\\_List.cfm?Form\\_Type\\_ID=71](http://www.courts.state.co.us/Forms/Forms_List.cfm?Form_Type_ID=71)

## **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.

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<sup>1</sup> 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.

## **DISSOLUTION OF MARRIAGE, CIVIL UNION and LEGAL SEPARATION BY AFFIDAVIT**

If you do not have minor children, or if you have minor children and you are both represented by attorneys, and if you have agreed upon all aspects of your separation agreement and parenting plan, you may be divorced or legally separated by affidavit without appearance of the parties. (Form JDF 1201). In all cases, with no exceptions, you are required to file a Sworn Financial Statement with the court.

Both parties' signatures must appear and be verified (notarized) on all joint documents, unless service was by publication.

If you have minor children and at least one party is not represented by an attorney, you will need to appear in court to obtain a Dissolution of Marriage or Dissolution of Civil Union or Legal Separation Decree.

## **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 1.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.). Once a party has requested the services of an interpreter, it is that party's responsibility to notify the court if those services are not needed (case is continued or settlement is reached). Notification 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](mailto: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.

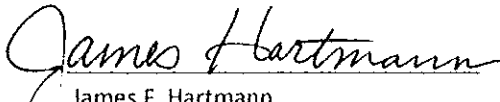
## **SUBMISSION OF EXHIBITS FOR TRIAL AND HEARINGS**

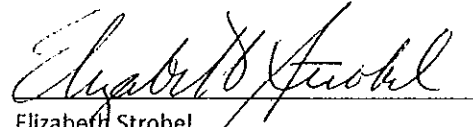
The parties shall comply with Chief Justice Directive 11-01. To that extent, all documents containing the parties' financial information, income tax returns, credit reports, separation agreements, parenting plans and reports containing custody investigations that are submitted electronically as an exhibit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

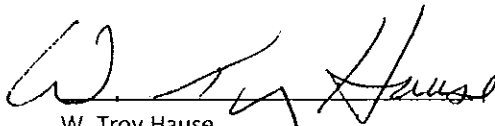
The Court adopts this Case Management Order pursuant to C.R.C.P. 16.2(b).

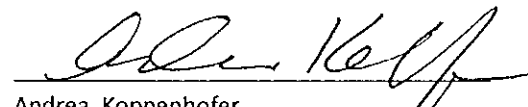
Dated: February 2, 2015

BY THE COURT:

  
James F. Hartmann  
Chief Judge

  
Elizabeth Strobel  
District Court Judge

  
W. Troy Hause  
District Court Judge

  
Andrea Koppenhofer  
District Court Magistrate

Attachments: Domestic Violence Services Advisement  
Parenting classes (for parties with minor children)  
Mandatory Disclosure Form 35.1 – Reference to 16.2(e) (2)

## **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.

# PARENTING CLASS PROVIDER LIST

## WELD COUNTY

Updated 1/1/2015

All parties with minor children who are seeking a divorce, legal separation, or allocation of parental responsibility are required to attend a parenting class. You may select from one of the providers listed here or from the statewide list.

It is not required that you complete this class with the other Party.

Online & Spanish Options	High Conflict	<u>Advocates for Resolution</u> Rebecca Giffin P.O. Box 1482 Loveland, CO 80539 www.advocatesforresolution.com (970) 581-4307	Cost: \$40.00	Sliding scale available: No
			Call for dates and times.	
Online & Spanish Options		<u>Children In Between</u> http://online.divorce-education.com	Cost: \$39.95	Sliding scale available: Yes Free with approved MIFP
Spanish Option		<u>Co-Parenting</u> Lutheran Family Services Rocky Mountains 800 8 <sup>th</sup> Avenue #231 Greeley, CO 80631 (970) 356-6751	Cost: \$35.00	Sliding Scale Available: No
			Call for dates and times	
Spanish Option		<u>Co-Parenting for Life</u> Shirley Thomas, Ph.D. and Steve Gimple 839 Meeker Street 630 Kimbark Street (Spanish Class) Longmont, CO 80501 www.coloradocoparenting.com (303) 772-4450	Cost: \$75.00	Sliding scale available: Yes \$40.00 if income level qualifies \$20.00 with approved MIFP (JDF205)
			Call for dates and times.	
Online		<u>Divorce Transitions, Inc.</u> www.coloradocenterforlifechanges.com	Cost: \$38.95	Sliding scale available: No
		<u>Families in Transition</u> Jane E. Derk, Ph.D. 3400 16th St. Bldg. 5 Greeley, CO 80631 (970) 351-6406	Cost \$40.00	Sliding scale available: Yes
			Call for dates and times.	
Spanish Option		<u>What I Needed to Know About Divorce I Learned From My Children</u> North Range Behavioral Health Lucia Puga 1306 11th Avenue Greeley, CO 80631 (970) 347-2125	Cost: \$35.00	Sliding Scale available: No
			Call for dates and times.	



**Mandatory Disclosure**  
**FORM 35.1 - Reference to 16.2(e)(2)**

**These are not to be filed with the court, except as may be ordered pursuant to C.R.C.P. 16.2**

**Mandatory Disclosures.** (Complete and accurate copies may replace originals. Children refers to minor children of both parties.)

(a) **Financial Statement.** Each party shall provide a complete and signed Sworn Financial Statement and (if applicable) Supplemental Schedule (JDF 1111 and/or JDF 1111SS) in the Supreme Court approved forms.

(b) **Income Tax Returns (Most Recent 3 Years).** Provide the personal and business federal income tax returns for the three years before filing of the petition or post decree motion. The business returns shall be for any business for which a party has an interest entitling the party to a copy of such returns. Provide all schedules and attachments including W-2's, 1099's and K-1. If a return is not completed at the time of disclosure, provide the documents necessary to prepare the return including W-2's, 1099's and K-1's, copies of extension requests and estimated tax payments.

(c) **Personal Financial Statements (Last 3 Years).** Provide all personal financial statements, statements of assets or liabilities, and credit and loan applications prepared during the last three years.

(d) **Business Financial Statements (Last 3 Years).** For every business for which a party has access to financial statements, provide the last three fiscal years' financial statements, all year-to-date financial statements, and the same periodic financial statements for the prior year.

(e) **Real Estate Documents.** Provide the title documents and all documents stating value of all real property in which a party has a personal or business interest. This section shall not apply to post decree motions unless so ordered by the court.

(f) **Personal Debt.** Provide all documents creating debt, and the most recent debt statements showing the balance and payment terms.

(g) **Investments.** Provide most recent documents identifying each investment, and stating the current value.

(h) **Employment Benefits.** Provide most recent documents identifying each employment benefit, and stating the current value.

(i) **Retirement Plans.** Provide most recent documents identifying each retirement plan, and stating the current value, and all Plan Summary Descriptions.

(j) **Bank/Financial Institution Accounts.** Provide most recent documents identifying each account at banks and other financial institutions, and stating the current value.

(k) **Income Documentation.** For each income source in the current and prior calendar year, including income from employment, investment, government programs, gifts, trust distributions, prizes, and income from every other source, provide pay stubs, a current income statement and the final income statement for the prior year. Each self-employed party shall provide a sworn statement of gross income, business expenses necessary to produce income and net income for the three months before filing of the petition or post decree motion.

(l) **Employment and Education-Related Child Care Documentation.** Provide documents that show average monthly employment-related child care expense including child care expense related to parents' education and job search.

(m) **Insurance Documentation.** Provide life, health and property insurance policies and current documents that show beneficiaries, coverage, cost including the portion payable to provide health insurance for children, and payment schedule.

(n) **Extraordinary Children's Expense Documentation.** Provide documents that show average monthly expense for all recurring extraordinary children's expenses.