

DISTRICT COURT, THIRD JUDICIAL DISTRICT, COLORADO Huerfano County: 401 Main Street, Room 304 Walsenburg, CO 81089 (719) 738-1040  Las Animas County: 200 East 1 <sup>st</sup> Street, Room 304 Trinidad, CO 81082 (719) 846-3316	<div style="text-align: center;"><b>COURT USE ONLY</b></div> <hr/> <b>Division D, Courtroom D</b>
<b>DOMESTIC RELATIONS          CASE MANAGEMENT ORDER REGARDING C.R.C.P. 16.2</b>	

This Order applies to all Dissolution of Marriage, Legal Separation, and Allocation of Parental Responsibility cases filed in the Third Judicial District. The following court procedures which apply to your case are described in Rule 16.2 of the Colorado Rules of Civil Procedure. Failure to comply with this Order or Rule 16.2 may result in dismissal of your case or other sanctions. This rule may be found in libraries and online at <http://www.courts.state.co.us/supct/rules/rulesindex.htm>.

#### MANDATORY INITIAL STATUS CONFERENCE

1. An initial conference shall take place within 40 days of filing of the petition pursuant to Rule 16.2 (c) (1) (E).
  - a) The petitioner must schedule the initial status conference. The petitioner shall schedule this conference at the Clerk's office when the petition is filed in person. Otherwise, the petitioner shall schedule by calling the Clerk's office between 8:30 and 9:30 a.m., Monday through Friday, in Las Animas County at (719) 846-3316 and in Huerfano County at (719) 738-1040. The petitioner shall set this conference within seven (7) days of the filing of the petition.
  - b) Once the conference is set, the Petitioner shall confirm this date by filing a Notice of Initial Status Conference (JDF 1120) with the Court and mailing the notice to opposing counsel and any self-represented parties. The petitioner shall notify the opposing party or counsel no later than three (3) days after the conference is scheduled.
  - c) All pro-se cases (those in which neither party are represented by counsel) will be conducted by the Family Court Facilitator. All cases in which either or both parties are represented by counsel will be conducted either by the Court or the family court facilitator as their respective calendars permit.
  - d) At the conference the parties and their counsel, if any, shall be prepared to discuss what needs to be done and determine a timeline for completion. The Court at judge-

conducted conferences may enter interim orders at any status conference upon stipulation of the parties or to address genuine emergency circumstances.

**2. You do not have to attend the mandatory initial conference only if:**

- Both parties agree on all aspects of their case, and they file an affidavit for decree without appearance with all required documents before the initial status conference. Rule 16.2 (c)(1)(D); **OR**
- Both parties are represented by counsel, and they have filed a Stipulated Case Management Plan signed by counsel and the parties and a Certificate of Compliance with the mandatory disclosures. Rule 16.2 (c) (1) (C).

**PROCEDURES FOR ALL CASES**

3. Rule 16.2 (e) states that *"Parties to domestic relations cases owe each other and the court a duty of full and honest disclosure of all facts that materially affect their rights and interests and those of the children involved in the case. The court requires that, in the discharge of this duty, a party must affirmatively disclose all information that is material to the resolution of the case without awaiting inquiry from the other party. This disclosure shall be conducted in accord with the duty of candor owing among those whose domestic issues are to be resolved under this Rule 16.2."*
4. Both parties are ordered to comply with the disclosure provisions of Rule 16.2(c). Each party must provide the other with a Sworn Financial Statement (Form 35.2, JDF 1111) and with the mandatory disclosures (Form 35.1 JDF 1125). Forms are included in the packets on sale from the clerk's office. They are also available online at:  
<http://www.courts.state.co.us/chs/court/forms/domestic/domestic.html>.
5. Each party **must** file with the Court the Sworn Financial Statement, any child support worksheets, and the Certificate of Compliance (JDF 1104) that they have provided the mandatory disclosures to the other party. Unless otherwise ordered, all other disclosures furnished to the other party **shall not** be filed with the Court. All disclosures *should* be complete by the time of the initial status conference and **must** be completed within 40 days after service of a petition.
6. For post-decree matters (16.2 (d)), the Court shall review the matter within 45 days of the filing and determine whether the case will be scheduled and resolved under the provisions of 16.2 (c) or will be handled on the pleadings or otherwise.
7. Parties may engage in discovery and retain experts only as permitted by Rule 16.2 (f and g), but must seek Court authorization for any additional discovery. All discovery must be completed not later than 30 days before hearing pursuant to 16.2(f) (5).
8. Parties shall supplement or amend any disclosure in a timely manner in compliance with 16.2 (e) (4).

### **MEDIATION**

9. Mediation is required before the Court will hear any contested permanent orders. A list of mediators in this district certified by the Office of Dispute Resolution is available from the Clerk's Office (in Huerfano County at 719-738-1040, and Las Animas County at 719-846-3316) or the Family Court Facilitator (719-989-8278). Should mediation be held at the courthouse in Las Animas County and party(ies) are not able to use stairs, parties shall call the Family Court Facilitator or ADA administrator so the Court may find reasonable accommodation.


### **PARENTING CLASSES**

10. For all cases filed on or after October 1, 2006, Parenting Classes are required for those parties with children. A list of providers is available from the Clerk's Office (in Huerfano County at 738-1040, and Las Animas County at 846-3316) or the Family Court Facilitator (719-989-8278).

### **DOMESTIC VIOLENCE**

11. If you are or become subject to a protection order that prevents you from meeting with any other party to your case, please let the clerk know this before your scheduled conference.

SO ORDERED BY THE COURT, January 13, 2005, amended April 4, 2006, October 1, 2006, May 22, 2008, and April 28, 2011.

  
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Claude W. Appel, Chief Judge