

District Court El Paso County, Colorado 270 South Tejon, Post Office Box 2980 Colorado Springs, CO 80901 (719) 452-5000 Petitioner: Respondent / Co-Petitioner:	<div style="text-align: center;">COURT USE ONLY</div> Case Number: Division: Room:
STANDARD ORDER TO PARENTS – FOURTH JUDICIAL DISTRICT	

This Order shall be automatically entered upon the filing of any proceeding under the Colorado Uniform Dissolution of Marriage Act involving minor children, and any proceeding to Determine the Parent Child Relationship under the Colorado Uniform Parentage Act (Article 4 of the Children's Code), to include any post-decree motions filed after February 1, 1999, pertaining to proceedings initiated at any time before February 1, 1999. This Order shall also be entered in any proceedings to modify the decree or orders of another state affecting the parent-child relationship for a child residing in Colorado.

A. ENFORCEMENT & CONTEMPT

Because you are now involved in a domestic relations action, the best interest and welfare of your minor children are subject to the jurisdiction and concern of this Court. Therefore, to help avoid problems and to assist you in your approach to the situation, this Order is entered and requires your compliance. **This Order specifically establishes rules and requirements that will remain in effect throughout the proceedings unless, and until, modified by another Court Order.**

B. PROCEDURAL REQUIREMENTS

1. **Service Of This Order** - The Petitioner, or moving party (as appropriate) is responsible for ensuring service of a copy of this Order upon the other party at the same time the Petition or post-decree Motion is served. **IF YOU ARE A PETITIONER IN A DIVORCE CASE, AND YOU ARE NOT REPRESENTED BY AN ATTORNEY, YOU MUST ARRANGE TO HAVE A COPY OF THIS ORDER SERVED ON RESPONDENT. BOTH PARTIES WILL NEED A COPY OF THIS ORDER.**
2. **Children and Families in Transition Seminar (CFIT)** - All parents who are involved in a domestic relations case must attend a mandatory parenting class within forty-five (45) days of filing case. Information about CFIT classes and cost may be obtained on the following Fourth Judicial website;

www.court.state.co.us – Find my Court - Choose your County: El Paso – CFIT Classes

3. **Mandatory Parenting Plan.**

- a. Colorado statutes require that a Parenting Plan be adopted by the Court in every case. There are three ways that a Parenting Plan can be developed:

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- 1) The preferred method that is most likely to be effective is for the parents to discuss and decide how the plan should be structured. A parent developed plan following the guidelines of the statute and the Court approved model may be submitted to the Court at any time and, if it is in the best interests of the child(ren), will be approved.
 - 2) When the parents are unwilling or unable to mutually develop a Parenting Plan, outside experts may be employed by the parents, or the Court, to make recommendations to the parents and/or the Court. Typically, such recommendations may be obtained from the child's legal representative, a mental health professional appointed to conduct a formal evaluation, a mediator selected by the parents or the Court, a mental health professional selected by the parents or the Court to function as a Parenting Coordinator, or any combination of professionals. *A lists of such professionals is available in the Self-Help Center located in Room 101.*
 - 3) If a Parenting Plan is not submitted by one or both parents, the Court will adopt its own basic parenting plan, after hearing the arguments and testimony..
- b. The Colorado Supreme Court has adopted a Model Parenting Plan. This form, JDF 1113, is available for purchase in the Court Clerk's office. It is also contained within the pro se packet. This form will be used by the Fourth Judicial District.

C. RULES OF PROPER CONDUCT

1. Do not make the children choose between the two of you. No child should be turned against the other parent by discussing that parent's shortcomings. Do not "compete" with the other parent for the child's love and affection.
2. Do not discuss the dissolution case or issues of the case with your children. No child should be permitted to see or review any of the documents related to the case. No child should be brought to court unless specifically requested by the Judge or the guardian ad litem (children's lawyer).
3. Involve step-parents or significant others in a sensitive fashion. As a general rule, step-parents or significant others should not be part of the transportation or child-care process during parenting time, at least until this issue has been decided by the court or both parties have signed a stipulation.
4. Do not encourage, permit, or require a child to refer to any person other than the child's parents as "mom" or "dad". A clear distinction in name should be established.
5. Parents and the court, if necessary, set schedules for parenting time. No child should be informed of any conflict regarding parenting time nor should any child mediate or become involved in any such disputes. Schedules are an important part of reassuring a child of the continued relationship with both parents and providing stability and predictability.
6. Parents must deal directly and simply with each other unless prohibited by a court. Each parent must keep the other informed of his or her current address and phone number.
7. Be sensitive to the fact that your children may try to manipulate the situation. This is a natural response in children. Inconsistency in rules and expectations can create behavioral problems and create or aggravate conflict between the parents.
8. Do not tell your child(ren) you can't buy them something or take them someplace because the other parent (a) won't pay child support or (b) gets all of my money.

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9. Do not use the child(ren) to relay messages to, or ask questions of, the other parent that imply you are unwilling or afraid to do it yourself.
10. Never forget that the break up of a family is a frightening experience for children. Because any change in lifestyle, even if it is for the better, can be scary to a child, he or she will need extra attention, love, and affection to provide reassurance that things will be OK.
11. Do not believe that you necessarily "know" how a child feels about the separation. Children do not always tell the truth about their feelings on this subject (especially to parents) and they may not even know how they feel. Watching and "interpretative" listening become even more important parental responsibilities. Consider counseling or support group programs designed specifically for children in divorce situations if there are significant changes in behavior.
12. Do not "abandon" your child(ren) because of your grievances or disputes with the other parent. Never do anything to create or contribute to a child's belief that he/she is responsible for the breakup or the loss of parental relationship.
13. When exchanging children for parenting time, the parent delivering the child(ren) is responsible for also delivering or returning necessary clothing, toys, etc.

D. ALLOCATION OF DECISION MAKING RESPONSIBILITIES

The Court may allocate decision-making responsibilities with respect to each issue affecting the child:.

- 1) Mutually between both parties.
- 2) Individually to one or the other party.
- 3) Any combination thereof.

E. PARENTING TIME

The Court will not deny parenting time to a parent or require it to be supervised unless the Judge finds that parenting time or unsupervised parenting time with that parent will endanger the child's physical health or significantly impair the child's emotional development. It is in the best interest of all parties to encourage frequent and continuing contact between each parent and the minor child(ren) after the parents have separated or dissolved their marriage.

F. IF THE COURT HAS TO MAKE A DECISION

1. When parents cannot agree, the Court must, and will, make a decision based solely on what is "in the best interests of the child(ren)" as required by Colorado statutes—not simply what each parent wants. Before you abandon efforts to reach an agreement, try to objectively see the situation through the eyes of the Judge. To the Judge, parents will not be "winners" or "losers." In every decision affecting parenting rights and responsibilities, the Judge will be considering the following statutory factors in an effort to make everyone, but most especially the child(ren), "winners":

- a. The physical, mental, and emotional conditions and needs of the child(ren). [These conditions and needs are constantly changing and are different at different ages.]
- b. The wishes of the child(ren), if the child is sufficiently mature to express reasoned and independent preferences. [Preferences expressed in response to parental interrogations are not considered independent.]
- c. The interaction and interrelationships of the child with each parent, his or her siblings, and other persons who affect the child's best interests. [Disruption of normal, healthy relationships, especially soon after the parents' separation, can be even harder on children.]

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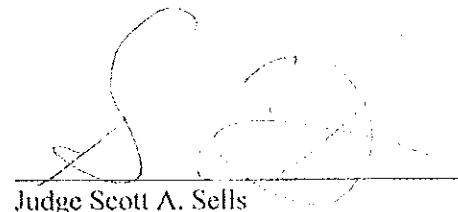
- d. The child's adjustment to his/her current home, school, and community. [Stability in areas unrelated to parents is important to children.]
- e. The mental and physical health of all individuals involved, except that a disability alone is not a basis to deny or restrict parenting time.
- f. Whether the past pattern of involvement of the parents with the child(ren) reflects a system of values, time commitment, and mutual support and whether that pattern indicates an ability as mutual decision makers to provide a positive and nourishing relationship with the child(ren). [The past is often a mirror image of the future.]
- g. The physical proximity of the parents to each other as this relates to the practical considerations of scheduling parenting time and the ability to communicate in a timely fashion. [Parents who live in different cities cannot share parenting in the same way as parents who live in the same apartment complex.]
- h. Whether one (or both) of the parents has been a perpetrator of child abuse or neglect or a perpetrator of spouse abuse. [Allegations and suspicions are not enough—there must be credible evidence of abuse before there will be a denial or restriction of parenting time.] The ability of each parent to place the needs of the child(ren) ahead of his/her own needs and credible evidence of the ability of the parents to cooperate and make decisions jointly. [How you handle conflicts and disagreements with the other parent before you get to the courtroom tells a lot about these two important factors.]
- i. Whether an allocation of mutual decision-making responsibility on any one or a number of issues will promote more frequent or continuing contact between the child(ren) and each of the parents.

2. The Judge will not be considering ,or influenced by the following:

- a. Any conduct by a parent that does not affect that parent's relationship with the child.
- b. Any argument that a parent is better able to serve the best interests of a child because that parent's gender.
- c. Which parent decided to end the marriage or who filed the Petition.

Dated this June 27, 2013

BY THE COURT



Judge Scott A. Sells
Presiding Domestic Judge
El Paso County 4th Judicial District

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