

DISTRICT COURT, EL PASO COUNTY, COLORADO 270 S. Tejon St. Colorado Springs, CO 80903 (719) 452-5358	<b>▲ COURT USE ONLY ▲</b>
IN RE:  ALL POST-DECREE DOMESTIC RELATIONS CASES	Case Number: ALL DR CASES  Division: 9  Courtroom: S305
<b>DIVISION 9 STANDARD CASE MANAGEMENT ORDER          EFFECTIVE DECEMBER 9, 2024 (POST-DECREE)</b>	

To ensure parties are properly prepared for hearing and that the Court receives all information necessary to make proper decisions, the Court ORDERS the following:

**A. PROCESS FOR RESOLVING THE MOTION**

**1. MEDIATION:** Within 21 days from the date of this Order, the party who filed the Motion shall schedule mediation by calling the Office of Dispute Resolution (ODR) at (719) 452-5005 or [04JDMediation@judicial.state.co.us](mailto:04JDMediation@judicial.state.co.us). Mediation request forms can be found at:

<https://www.coloradojudicial.gov/courts/trial-courts/el-paso-county/mediation-el-paso-teller-counties>

Alternatively, mediation can be scheduled with a private mediator. Any stipulated agreements reached in mediation are to be filed with the Court. **Mediation is not required if previously waived by the Court or if issues have already been mediated prior to issuance of this Order.**

**2. NOTICE TO SET:** No later than 28 days from the date of this Order, the party who filed the Motion shall set the matter for a pretrial conference and hearing by filing a Notice to Set (JDF 1123), which shall inform the Court of the mediation date. The Notice to Set form can be found on the Court's website ([coloradojudicial.gov](http://coloradojudicial.gov)). The form shall be filled out to include a date 2 weeks out from the date of mailing/filing, on a Wednesday at 8:30 a.m. Division 9 staff is available at (719) 452-5358.

**3. Response and Reply:** If any party opposes the request in the Motion, then a written Response must be filed with the Court 21 days from the date the Motion was filed, or as otherwise ordered, whichever is later. The party who filed the Motion may file a Reply within 7 days after the Response is filed. If no written Response is filed, the Court may assume that there is no objection to the Motion and may rule accordingly.

**4. Review by the Court in 35 Days:** The Court will review this matter in 35 days to determine whether the parties have complied with this Order. **If a notice to set, including a scheduled mediation date, has not been filed, the pending Motion may be deemed abandoned and may be dismissed.** Please note that when the Court reviews the Motion,

along with any Response and/or Reply that has been filed, it may elect to rule on the Motion without a hearing, if it determines that such a ruling would be appropriate.

**5. Sworn Financial Statements / Mandatory Disclosures / Witness Lists:** Pursuant to C.R.C.P. 16.2(e), ***if the Motion includes a request to modify child support or maintenance*** the parties shall exchange mandatory disclosures and file updated Sworn Financial Statements (JDF 1111) no later than 42 days after service of the Motion. Lists of your expected witnesses shall be exchanged at the same time, if they have not previously been exchanged pursuant to Rule 16.2.

**6. Pretrial Conference:**

Pretrial Conferences will be scheduled approximately one month prior to the Hearing date. Attorneys and self-represented parties will appear in court on this date. (Parties who are represented by counsel may attend but are not required to.) The judge will discuss the procedures and issues in preparation for your Hearing. You should be prepared to discuss with the judge your settlement efforts, as well as any issues concerning discovery, disclosures, documents, financial information, witnesses, or exhibits, and any other issues related to your Hearing. Failure to appear for the Pretrial Conference will result in the Hearing being vacated.

All Pretrial Conferences will be held via WebEx *videoconferencing*. This is done with the intention of making the most efficient use of the time of the parties and counsel and to provide access to the Court for parties who have difficulty attending in person. Any party or counsel is welcome to attend in person if that is preferable. **Do not attempt to attend any hearing by telephone, or by simply “calling in” to WebEx.**

Division 9’s WebEx information can be found at:

<https://www.coloradojudicial.gov/livestream-and-virtual-courtrooms?topic=27&wrapped=true>

**Access Code: 2598 971 2111**

**7. 1 week (7 days) before Hearing - Trial Management Certificate:**

Trial Management Certificates (“TMC”) shall be filed with the Court no less than 7 days before the hearing date. If at least one party is represented by counsel, counsel shall file a Joint TMC by this date, including the positions of both parties. **If neither party is represented by counsel, each party shall separately file a Pro Se Pre-Trial Statement (Form JDF 1129).** These filings shall set out the disputed issues, that party’s witnesses and exhibits, updated Sworn Financial Statements, any agreements that the parties have made and, if children are involved in the case, a Child Support Worksheet and a Parenting Plan Proposal. This statement and all attachments must also be sent to the other side by this date. Any witnesses or exhibits not disclosed in the TMC or Pro Se Pre-Trial Statement will not be allowed at the hearing.

**The Joint TMC is limited to fifteen (15) pages exclusive of the Header, Signature lines, and Certificate of Service, with each party receiving equal space. The TMC shall be formatted consistent with C.R.C.P. 10(d)(2). TMCs that fail to comply with this Order will be rejected.**

## **8. On the day of the Hearing:**

Unless otherwise specifically ordered by the Court, Hearings are scheduled for two (2) hours with each side receiving equal time to present and defend their respective cases. You will have the opportunity to present evidence and to advocate for your position on the issues you want the judge to decide. You must have all your evidence, witnesses, and exhibits prepared to present to the judge. You should be prepared to explain to the judge specifically what you are asking for and to present evidence (testimony and/or exhibits) that support your position.

You are responsible for bringing **four** sets of your exhibits, in hard copy, to court (1 for you, 1 for the other party, 1 for the witness, and 1 for the judge). Petitioner is to label each exhibit with numbers, Respondent with letters. In addition, each page of each exhibit must be numbered. **If all exhibits have been electronically filed, a judge's copy is not required.**

**Please be advised that the hearing will not proceed on the scheduled date and time if mediation has not been completed or previously waived by the Court.**

## **B. GENERAL ORDERS & PROCEDURES**

**1. Motions for Virtual Appearance: All hearings are held in person.** Any party wishing to appear virtually, or to present the testimony of any witness virtually, must file a motion for absentee testimony (Form JDF 1309) pursuant to C.R.C.P. 43(i) as soon as the need for absentee testimony becomes known. The motion must comply with Rule 43.

**2. Discovery Disputes:** This Court will not accept written motions concerning discovery disputes between the parties. **The Court expects the parties to engage in meaningful efforts to resolve discovery disputes on their own or through counsel before contacting the Court.** If you are truly unable to reach an agreement, you may contact the Court clerk to set a forthwith status conference to resolve the issue. No later than three business days before the status conference, the party requesting the conference shall file a short statement describing the disputed issues and your position. The other party shall file a short response no later than two business days before the conference. You may attach relevant materials to your filing.

**3. Self-represented Parties:** If you have elected to represent yourself in this proceeding, you must keep in mind that you will be held to the same rigorous standards as an attorney. Assistance can be obtained from the Family Court Facilitators by calling 719-452-5104, or by going to Room S116 of the El Paso County Combined Courts. General information is also available at the Colorado Legal Help Center website, at [www.coloradolegalhelpcenter.us](http://www.coloradolegalhelpcenter.us). The Court and its staff cannot represent your legal interests, provide legal advice, or answer any legal questions. It is essential that you take full responsibility to be prepared to present your interests and your children's interests at your hearing.

**4. Rules of Evidence and Procedure:** The Colorado Rules of Evidence apply at all hearings in which evidence is considered. (C.R.E. 1101). The Colorado Rules of Civil Procedure also apply, except as specified in the family court statute. (C.R.S. 14-10-105).

**5. Civility and Respect:** The Court recognizes how difficult these proceedings can be, especially when cases proceed to contested hearings regarding issues very personal to the

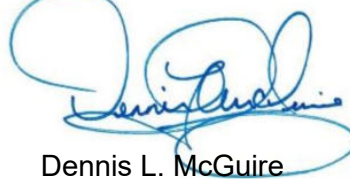
parties. However, the Parties are to behave with civility and treat the Court, the participants, and each other with respect at all times during the proceedings. Rudeness, *ad hominem* comments, or general disrespect by any participant will not be tolerated.

The Court may consider the conduct and demeanor of the parties and witnesses when evaluating credibility of a party or witness. Parties shall not argue with one another in open court. Attorneys shall not argue with each other or with the parties in open court. All hearings are recorded so counsel and parties must be careful to take turns speaking such that a good record of the proceedings may be maintained.

**FAILURE TO COMPLY WITH THIS ORDER MAY RESULT IN THE COURT IMPOSING SANCTIONS, INCLUDING DISMISSAL OF THE MOTION.**

SO ORDERED: December 16, 2024.

BY THE COURT:

A handwritten signature in blue ink, appearing to read "Dennis L. McGuire", is written over a faint, circular stamp or watermark.

Dennis L. McGuire  
District Court Judge