

Larimer County District Court
201 Laporte Avenue, Suite 100, Fort Collins, CO 80521
Courtroom 2B – (970) 494-3570

Temporary Orders' Hearing Procedures

Settings: Setting for Temporary Orders Hearing are conducted every Tuesday and Friday at 1:30 p.m. There are non-setting dates posted in the clerk's office and in Courtroom 2B. A Notice to Set should be filed at least 7 days prior of the requested setting date. **Late requests may result in the setting not occurring on the day requested.**

Settings for a Temporary Orders Hearing are conducted with the Magistrate. Parties and counsel will contact Courtroom 2B via Webex to schedule the Temporary Orders Hearing. The Court requests that attorneys and any pro se party be available via Webex at the time of the setting; Parties/Counsel may attend in person, but it is not required. If an attorney or *pro se* party is not available, the setting may not go forward at the discretion of the magistrate.

Parties/counsel shall be available between 1:30 P.M and 2:30 P.M. due to the variable number of settings. The Court encourages, but does not require, mediation or conferences between the parties prior to the filing of a Motion for Temporary Orders and the Notice to Set. Counsel should discuss the issues prior to the hearing, and the Court will review the matters in dispute at the time of setting.

Notice of Hearing and Filing of Documents: The Court will issue a Temporary Orders Setting Order that will include the issues to be heard at the hearing. Issues that are not included in the Temporary Orders Setting Order will not be addressed at the hearing. The Temporary Orders Setting Order will also designate documents that are **due no later than seven (7) days prior to the hearing. Copies of each document must be disclosed to opposing party/counsel in such a manner that the opposing party receives the documents no less than seven (7) days before the hearing.**

In most cases you will need Sworn Financial Statements (JDF 1111), Temporary Orders Position Statement, Exhibits (Petitioner's exhibits shall be numbered, and Respondent/Co-petitioner's exhibits shall be lettered), and any worksheet for child support or maintenance.

NOTE: Child support and maintenance cannot be entered unless the court has social security number and date of birth for all parties.

Attorneys are required to e-file these pleadings, and any pro se party must file these pleadings by that due date at the clerk's counter on the first floor. Failure to comply with these filing deadlines may result in sanctions or the continuance of the hearing.

Note: The Colorado Judicial site has a list of forms at:

https://www.courts.state.co.us/Forms/Forms_List.cfm?Form_Type_ID=108

Position Statement:

<https://www.courts.state.co.us/userfiles/file/8th%20Judicial%20District/TEMPORARY%20ORDERS%20POSITION%20STATEMENT.pdf>

The **Court Resource Center** on the first floor of the Justice Center may be able to provide assistance in obtaining and completing the necessary forms.

Hearing Procedures/Rulings: Hearings are generally set for 1 ½ hours. The Court may allow additional time for the hearing depending on the issues being heard and the Court's docket. Parties must have a copy of each exhibit available for the witnesses. The Parties are not required to provide the Court a copy of exhibits that have been e-filed with the Court.

The hearing will begin with affirmation of any partial agreements. Parties are encouraged to focus on disputed items, and to provide stipulations to undisputed items, such as use of property, vehicles, insurance matters, uncontested payments of certain debts, decision-making responsibilities, and parenting time.

At the end of the hearing, if there is sufficient time available, the Court may rule from the bench and issue a written order. If there is insufficient time at the conclusion of the hearing, in the Court's discretion, the Court may take the matter under advisement and issue a written ruling or schedule another appearance for a ruling from the bench.

Continuances/Settlement of Temporary Orders: By agreement, the parties may vacate the temporary orders' hearing and the parties/counsel are not required to attend. Parties should be aware that if one party appears for the hearing and is prepared to go forward, the Court will hold the hearing. Therefore, any agreements should be firmly established and confirmed in writing.

Filing of agreements, or some telephone notice of a temporary orders' agreement, is appreciated. The Court reserves its authority to reject any settlement agreement that improperly limits the Court's jurisdiction or appears unconscionable. Deviations from the child support guidelines shall be supported factually.

Dated: November 2, 2021

A handwritten signature in black ink, appearing to read "Dina M. Christiansen", with a stylized flourish at the end.

Dina M. Christiansen
District Court Magistrate