

Domestic Relations Orientation

PRESENTED BY: FAMILY COURT FACILITATOR, 20TH JUDICIAL DISTRICT

What is Domestic Relations?

ALLOCATION OF PARENTAL RESPONSIBILITIES (CUSTODY)

The Issues:

Parental Responsibilities

- Parenting Time
- Decision Making

Financial

- Child Support



DISSOLUTION OF MARRIAGE/LEGAL SEPARATION (DIVORCE)

The Issues:

Parental Responsibilities

- Parenting Time
- Decision Making

Financial

- Allocation of Property – Assets and Debts
- Maintenance (support for the spouse)
- Child Support (support for the child)



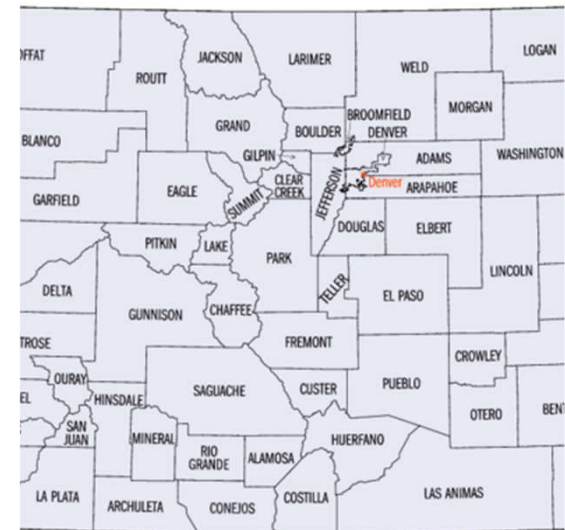
Where should I file a case?

For Divorce: Either party must reside in Colorado for at least **91 days prior to filing the Petition.**

- File in the county where **you or your spouse lives**

For Custody (either in Divorce or Allocation of Parental Responsibilities): Child must have resided in Colorado for at least **182 days prior to filing the Petition** or since birth if under 6 months old.

- File in the county where **child is located**



Two ways to start a case:

You file the petition (the other party does not sign)

- Fill out **Petition** and **Case Information Sheet** and sign;
- File the documents with the Court and pay the filing fee (or request waiver of the fee);
- **Personally serve** the other party with all the documents and the **Summons** and file the **Return of Service**
 - **Sheriff** or **Private Process Server** or any person over 18 years old who is not a party to the case and knows the rules for service
- Attend your **Initial Status Conference**.

Both parties file the petition together (both parties sign)

- Fill out **Petition** and **Case Information Sheet** and sign;
- File the documents with the Court and pay the filing fee (or request waiver of the fee);
- Attend your **Initial Status Conference**.

What documents will the Court give me?

Notice of Initial Status Conference:

- The **time** and **date** of your **Initial Status Conference**
- A list of documents that each party needs to complete.

Case Management Order:

- Provides information about court procedures regarding your case
- Important Deadlines in your case
- Other important information and instructions

Carefully read all documents that the Court issues in your case!



What documents do I need to complete?

Both parties **must** each complete and file:

Sworn Financial Statement (JDF 1111)

Certificate of Compliance w/Mandatory Disclosures (JDF 1104)

Due: 42 days from the date of Service/Co-Petition filed



Initial Status Conference

What should I bring with me?

- **Return of Service** if not already filed with the Court
- **Sworn Financial Statements and Certificates of Compliance w/Mandatory Disclosures** if not already filed with the Court

What happens at the Initial Status Conference?

Informal meeting to discuss the **management** of your case:

- Discuss whether you and the other party will be able to come to **agreements** regarding any of the issues
 - If the parties think they **can come to agreements** on all issues, the Judge or Family Court Facilitator will set deadlines for the parties to get their agreements filed with the Court.
 - If the parties think they **can't come to agreements** on all issues, the Judge or Family Court Facilitator will set a date for the Permanent Orders Hearing and if necessary, Temporary Orders Hearing.
- Ask questions about the process or procedure

What if we agree on all issues?

The parties complete one agreement and both sign:

Separation Agreement (Divorce only) (JDF 1115)

- Allocate all **property** and **debt** between the parties
- **Maintenance**
 - Parties must review the statutory maintenance guidelines



Parenting Plan (Divorce & APR) (JDF 1113)

- **Parenting Time**
- **Decision Making**
- **Child Support**
 - Must attach child support worksheet

If **no children** – Also complete **Affidavit for Decree w/o Appearance of Parties** (JDF 1201) – **No hearing required!**

If **children** – Appear at **Non-Contested Hearing**

What if we don't agree on all issues?

Your case will be set for a **Permanent Orders Hearing**.

- At the Permanent Orders Hearing, the **Judge** will decide all issues that the parties don't agree on.

You will be **required to mediate** before your **Permanent Orders Hearing**

- At mediation you will try to come to agreements on some or all of the issues
- You must file a **Certificate of Mediation** with the Court at least **21 days** before your hearing

Remember, you can always come to agreements on **some of the issues** even if you can't agree on all of them!



Preparing for your hearing



At least **7 days prior** to the Permanent Orders Hearing, both parties **must file**:

- **Pretrial Statement** (JDF 1129): Tells the Judge what **issues are still in dispute**, what **witnesses** you plan to call, and what **exhibits** you plan to use.
- Updated **Sworn Financial Statement** (JDF 1111): Give the Judge the complete picture of your **current** financial situation.

Practice presenting your case

- Most hearings are only 3 hours long, so you will have 1 ½ hours or less to present your side of the story. That time will go by fast, so be prepared!
- Check out the pamphlet re: **Admission of Evidence**
- Remember, it is your job to give the Judge all the facts that he or she will need to make a decision about your case!

Where can I get the forms?



All forms and instructions can be **downloaded for free** from the Court's website:

https://www.courts.state.co.us/Self_Help/family/

All forms can also be **purchased for a fee** from the Clerk's Office at the Justice Center, 1777 6th Street, Boulder, CO 80302

Please note: The Clerk's Office **will not accept** double-sided forms for filing.



How can I get help?

Court Resource Center:

- Self-Represented Litigant Coordinators (SRLC) (“Sherlocks”)
- Can answer questions about **forms** and **procedures**
- **Can’t** give legal advice about your case
- Call **303-441-4741** or email BoulderCourtSelfHelp@judicial.state.co.us
- Not doing in-person conferences until further notice because of COVID-19

Colorado Legal Help Center:

www.coloradolegalhelpcenter.us