

**Second Corrective Order to
Rule Change 2004(19)**

[The Court has had difficulties with presenting a compared rule change because of originally converting a PDF file to a WORD format (specifically Form 35.2 below); therefore, we ask that you please replace the original Rule Change 2004(19) with this **Second Corrective Order to Rule Change 2004(19)** in its entirety.]

**Colorado Rules of Civil Procedure
Chapter 2. Pleadings and Motions
Rule 16.2. Case Management (Domestic Relations)**

**Appendix to Chapters 1 to 17A
Form 35.1. MANDATORY DISCLOSURE
Form 35.2. FINANCIAL AFFIDAVIT
Form 35.3. PATTERN INTERROGATORIES (DOMESTIC RELATIONS)
Form 35.4. PATTERN REQUESTS FOR PRODUCTION OF DOCUMENTS
(DOMESTIC RELATIONS)**

**Colorado Rules of Civil Procedure
Chapter 17A. Practice Standards and Local Court Rules
Rule 121. Local Rules – Statewide Practice Standards
Section 1-17. COURT SETTLEMENT CONFERENCES**

Current Rules 16.2 and 26.2 are repealed and replaced by this Rule 16.2.
Form 35.1 (Mandatory Disclosure) is adopted.
Form 35.2 (Financial Affidavit) is adopted.
Form 20.2 (Pattern Interrogatories – Domestic Relations) is repealed, Form 35.3 is adopted.
Form 21.2 (Pattern Requests for Production of Documents – Domestic Relations) is repealed,
Form 35.4 is adopted.
Rule 121, Section 1-17 is amended below.

Repealed, Amended and Adopted by the Court, En Banc, September 30, 2004, effective for Domestic Relations Cases as defined in 16.2(a) filed on or after January 1, 2005 and for post-decree motions filed on or after January 1, 2005.

JUSTICE RICE and JUSTICE COATS would not approve this rule.

BY THE COURT:

**Rebecca Love Kourlis
Justice, Colorado Supreme Court**

Colorado Rules of Civil Procedure
Chapter 2. Pleadings and Motions
Rule 16.2 Case Management (Domestic Relations)

Rule 16.2. Court Facilitated Management of Domestic Relations Cases and General Provisions Governing Duty of Disclosure

- (a) **Purpose and Scope.** Family members stand in a special relationship to one another and to the court system. It is the purpose of Rule 16.2 to provide a uniform procedure for resolution of all issues in domestic relations cases that reduces the negative impact of adversarial litigation wherever possible. To that end, this Rule contemplates management and facilitation of the case by the court, with the disclosure requirements, discovery and hearings tailored to the needs of the case. This Rule shall govern case management in all district court actions under Articles 10, 11 and 13 of Title 14 of the Colorado Revised Statutes, including post decree matters. The Child Support Enforcement Unit (CSEU) shall be exempted under this Rule unless the CSEU enters an appearance in an ongoing case. Upon the motion of any party or the court's own motion, the court may order that this Rule shall govern juvenile, paternity or probate cases involving allocation of parental responsibilities (decision-making and parenting time), child support and related matters. Any notice or service of process referenced in this Rule shall be governed by the Colorado Rules of Civil Procedure.
- (b) **Active Case Management.** The court shall provide active case management from filing to resolution or hearing on all pending issues. The parties, counsel and the court shall evaluate each case at all stages to determine the scheduling of that individual case, as well as the resources, disclosures/discovery, and experts necessary to prepare the case for resolution or hearing. The intent of this Rule is to provide the parties with a just, timely and cost effective process. The court shall consider the needs of each case and may modify its Standard Case Management Order accordingly. Each judicial district may adopt a Standard Case Management Order that is consistent with this Rule and takes into account the specific needs and resources of the judicial district.
- (c) **Scheduling and Case Management for New Filings.**
- (1) Initial status conferences/Stipulated Case Management Plans.
- (A) Petitioner shall be responsible for scheduling the initial status conference and shall provide notice of the conference to all parties. Each judicial district shall establish a procedure for setting the initial status conference. Scheduling of the initial status conference shall not be delayed in order to accomplish service.
- (B) All parties and counsel, if any, shall attend the initial status conference, except as provided in subsection (c)(1)(C) or (c)(1)(D). At that conference, the parties and counsel shall be prepared to discuss the issues requiring resolution and any special circumstances of the case. The court may permit the parties and/or counsel to attend the initial conference and any subsequent conferences by telephone.

(C) If both parties are represented by counsel, counsel may submit a Stipulated Case Management Plan signed by counsel and the parties. Counsel shall also exchange Mandatory Disclosures and file a Certificate of Compliance. The filing of such a plan, the Mandatory Disclosures and Certificate of Compliance shall exempt the parties and counsel from attendance at the initial status conference. The court shall retain discretion to require a status conference after review of the Stipulated Case Management Plan.

(D) Parties who file an affidavit for entry of decree without appearance with all required documents before the initial status conference shall be excused from that conference.

(E) The initial status conference shall take place, or the Stipulated Case Management Plan shall be filed with the court, as soon as practicable but no later than 40 days from the filing of the petition.

(F) At the initial status conference, the court shall set the date for the next court appearance. The court may direct one of the parties to send written notice for the next court appearance or may dispense with written notice.

(2) Status conference procedures.

(A) At each conference the parties shall be prepared to discuss what needs to be done and determine a timeline for completion. The parties shall confer in advance on any unresolved issues.

(B) The conferences shall be informal.

(C) Family Court Facilitators may conduct conferences. Family Court Facilitators shall not enter orders but may confirm the agreements of the parties in writing. Agreements which the parties wish to have entered as orders shall be submitted to the judge or magistrate for approval.

(D) The judge or magistrate may enter interim orders at any status conference either upon the stipulation of the parties or to address emergency circumstances.

(E) A record of any part of the proceedings set forth in this section shall be made if requested by a party or by order of the court.

(F) The court shall either enter minute orders, direct counsel to prepare a written order, or place any agreements or orders on the record.

(3) Emergency matters/evidentiary hearings/temporary orders.

(A) Emergency matters may be brought to the attention of the clerk or the Family Court Facilitator for presentation to the court. Issues related to children shall be given priority on the court's calendar.

(B) At the request of either party or on its own motion, the court shall conduct an evidentiary hearing, subject to the Colorado Rules of Evidence, to resolve disputed questions of fact or law. The parties shall be given notice of any evidentiary hearing. Only a judge or magistrate may determine disputed questions of fact or law or enter orders.

(C) Hearings on temporary orders shall be held as soon as possible. The parties shall certify on the record at the time of the temporary orders hearing that they have conferred and attempted in good faith to resolve temporary orders issues. If the parties do not comply with this requirement, the court may vacate the hearing unless an emergency exists that requires immediate court attention.

(4) Motions.

(A) Motions related to the jurisdiction of the court, change of venue, service and consolidation, protection orders, contempt, motions to amend the petition or response, withdrawal or substitution of counsel, motions to seal the court file or limit access to the court file, motions in limine related to evidentiary hearings, motions for review of an order by a magistrate, and post decree motions may be filed with the court at any time.

(B) All other motions shall only be filed and scheduled as determined at a status conference or in an emergency upon order of court.

(d) **Scheduling and Case Management for post-decree/modification matters.** Within 45 days of the date a post decree motion or motion to modify is filed, the court shall review the matter and determine whether the case will be scheduled and resolved under the provisions of (c) or will be handled on the pleadings or otherwise.

(e) **Disclosure.**

(1) 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.

(2) A party shall, without a formal discovery request, provide the Mandatory Disclosures, as set forth in the form and content of Appendix to Chapters 1 to 17A, Form 35.1, C.R.C.P., and shall provide a completed financial affidavit in the form and content of Appendix to Chapters 1 to 17A, Form 35.2, C.R.C.P., to the other party within 40 days after service of a petition or a post decree motion involving financial issues. The parties shall exchange the required Mandatory Disclosures and the financial affidavit by the time of the initial status conference to the extent reasonably possible.

(3) A party shall, without a formal discovery request, also provide a list of expert and lay witnesses whom the party intends to call at a contested hearing or final orders. This disclosure shall include the address, phone number and a brief description of the testimony of each witness. This disclosure shall be made no later than 60 days prior to the date of the contested hearing or final orders, unless the time for such disclosure is modified by the court.

Unless otherwise stipulated or ordered by the court and subject to the provisions of subsection (g) of this Rule, the disclosure of expert testimony shall be governed by the provisions of C.R.C.P. 26 (a)(2)(B). The time for the disclosure of expert or lay witnesses whom a party intends to call at a temporary orders hearing or other emergency hearing shall be determined by the court.

(4) A party is under a continuing duty to supplement or amend any disclosure in a timely manner. This duty shall be governed by the provisions of C.R.C.P. 26(e).

(5) If a party does not timely provide the Mandatory Disclosure, the court may impose sanctions pursuant to subsection (j) of this Rule.

(6) Financial affidavits and child support worksheets shall be filed with the court. Other mandatory disclosure documents shall not be filed with the court.

(7) A Certificate of Compliance shall accompany the Mandatory Disclosures and shall be filed with the court. A party's signature on the Certificate constitutes certification that to the best of the signer's knowledge, information, and belief, formed after a reasonable inquiry, the Mandatory Disclosure is complete and correct as of the time it is made, except as noted with particularity in the Certificate of Compliance.

(8) Signing of all disclosures, discovery requests, responses and objections shall be governed by C.R.C.P. 26(g).

(9) A Court Authorization For Financial Disclosure shall be issued at the initial status conference if requested, or may be executed by those parties who submit a Stipulated Case Management Plan pursuant to (c)(1)(C), identifying the persons authorized to receive such information.

(10) As set forth in this section, it is the duty of parties to an action for decree of dissolution of marriage, legal separation, or invalidity of marriage, to provide full disclosure of all material assets and liabilities. If the disclosure contains misstatements or

omissions, the court shall retain jurisdiction after the entry of a final decree or judgment for a period of 5 years to allocate material assets or liabilities, the omission or non-disclosure of which materially affects the division of assets and liabilities. The provisions of C.R.C.P. 60 shall not bar a motion by either party to allocate such assets or liabilities pursuant to this paragraph. This paragraph shall not limit other remedies that may be available to a party by law.

(f) Discovery. Discovery shall be subject to active case management by the court consistent with this Rule.

(1) Depositions of parties are permitted.

(2) Depositions of non-parties upon oral or written examination for the purpose of obtaining or authenticating documents not accessible to a party are permitted.

(3) After an initial status conference or as agreed to in a Stipulated Case Management Plan filed pursuant to (c)(1)(E), a party may serve on each adverse party any of the pattern interrogatories and requests for production of documents contained in the Appendix to Chapters 1 to 17A Form 35.3 and Form 35.4, C.R.C.P. A party may also serve on each adverse party 10 additional written interrogatories and 10 additional requests for production of documents, each of which shall consist of a single question or request.

(4) The parties shall not undertake additional formal discovery except as authorized by the court or as agreed in a Stipulated Case Management Plan filed pursuant to (c)(1)(C). The court shall grant all reasonable requests for additional discovery for good cause as defined in C.R.C.P. 26 (b)(2)(F). Unless otherwise governed by the provisions of this Rule additional discovery shall be governed by C.R.C.P. Rules 26 through 37 and C.R.C.P. 121 section 1-12. Methods to discover additional matters shall be governed by C.R.C.P. 26(a)(5). Additional discovery for trial preparation relating to documents and tangible things shall be governed by C.R.C.P. 26(b)(3).

(5) All discovery shall be initiated so as to be completed not later than 30 days before hearing, except that the court shall extend the time upon good cause shown or to prevent manifest injustice.

(6) Claims of privilege or protection of trial preparation materials shall be governed by C.R.C.P. 26(b)(5).

(7) Protective orders sought by a party relating to discovery shall be governed by C.R.C.P. 26(c).

(g) Use of Experts. If the matter before the court requires the use of an expert or more than one expert, the parties shall attempt to select one expert per issue. If they are unable to agree, the court shall act in accordance with CRE 706, or other applicable rule or statute.

(1) Expert reports shall be filed with the court only if required by the applicable rule or statute.

(2) If the court appoints or the parties jointly select an expert, then the following shall apply:

(A) Compensation for any expert shall be governed by the provisions of CRE 706.

(B) The expert shall communicate with and submit a draft report to each party in a timely manner or within the period of time set by the court. The parties may confer with the expert to comment on and make objections to the draft report before a final report is submitted.

(C) The court shall receive the expert reports into evidence without further foundation, unless a party notes an objection in the Trial Management Certificate. However, this shall not preclude either side from calling an expert for cross-examination, and voir dire on qualifications. Unless otherwise ordered by the court, a reasonable witness fee associated with the expert's court appearance shall be tendered before the hearing by the party disputing the expert's findings.

(3) Nothing in this rule limits the right of a party to retain a qualified expert at that party's expense, subject to judicial allocation if appropriate. The expert shall consider the report and documents or information used by the court appointed or jointly selected expert and any other documents provided by a party, and may testify at a hearing. Any additional documents or information provided to the expert shall be provided to the court appointed or jointly selected expert by the time the expert's report is submitted.

(4) The parties have a duty to cooperate with and supply documents and other information requested by any expert. The parties also have a duty to supplement or correct information in the expert's report or summary.

(5) Unless otherwise ordered by the court, expert reports shall be provided to the parties 60 days prior to hearing. Rebuttal reports shall be provided 20 days thereafter.

(6) Unless otherwise ordered by the court, parental responsibility evaluations and special advocate reports shall be provided to the parties pursuant to the applicable statute.

(7) The court shall not give presumptive weight to the report of a court appointed or jointly selected expert when such report is disputed by one or both parties.

(8) A party may depose any person who has been identified as an expert whose opinions may be presented at trial. Such trial preparation relating to experts shall be governed by C.R.C.P. 26 (b)(4).

(h) Trial Management Certificates.

(1) If both parties are not represented by counsel, then each party shall file with the court a brief statement identifying the disputed issues and that party's witnesses and exhibits including updated financial affidavits, together with copies thereof, mailed to the opposing party at least 10 days prior to the hearing date or at such other time as ordered by the court.

(2) If at least one party is represented by counsel, the parties shall file a joint Trial Management Certificate 10 days prior to the hearing date or at such other time as ordered by the court. Petitioner's counsel (or respondent's counsel if petitioner is pro se) shall be responsible for scheduling meetings among counsel and parties and preparing and filing the Trial Management Certificate. The joint Trial Management Certificate shall set forth stipulations and undisputed facts, any requests for attorney fees, disputed issues and specific points of law, lists of lay witnesses and expert witnesses the parties intend to call at hearing, and a list of exhibits, including updated financial affidavits and proposed child support work sheets. The parties shall exchange copies of exhibits at least 10 days prior to hearing.

(i) Alternative Dispute Resolution.

(1) Nothing in this Rule shall preclude, upon request of both parties, a judge or magistrate from conducting the conferences as a form of alternative dispute resolution pursuant to section 13-22-301, C.R.S. (2002), provided that both parties consent in writing to this process. Consent may only be withdrawn jointly.

(2) The provisions of this Rule shall not preclude the parties from jointly consenting to the use of dispute resolution services by third parties, or the court from referring the parties to mediation or other forms of alternative dispute resolution by third parties pursuant to sections 13-22-311 and 313, C.R.S. (2002).

(j) Sanctions. If a party fails to comply with any of the provisions of this rule, the court may impose appropriate sanctions, which shall not prejudice the party who did comply. If a party attempts to call a witness or introduce an exhibit that the party has not disclosed under subsection (h) of this Rule, the court may exclude that witness or exhibit absent good cause for the omission.

Committee Notes:

Disclosures: This Rule is premised upon an expectation that regular status conferences will be conducted informally, that the parties will provide all necessary disclosures and that formal discovery, if authorized, will be tailored to the specific issues of the case. Disclosure of expert testimony and the signing of disclosures and discovery responses will be governed by C.R.C.P. 26 as specifically incorporated into section (e) of new Rule 16.2.

Rule 26.2: The current Rule 26.2 will be repealed. Disclosure of expert testimony and the signing of disclosures and discovery responses will be governed by C.R.C.P. 26 as specifically incorporated into section (e) of new Rule 16.2. Relevant provisions of C.R.C.P. 26 that relate to any additional discovery authorized by the court or stipulated to by the parties under sections (f) and (g) of the new Rule have been incorporated into new Rule 16.2. It

is the intent of the committee that relevant caselaw under Rule 26.2 or Rule 26 will have precedential value. The pattern interrogatories and pattern requests for production of documents will also be modified to be consistent with new Rule 16.2.

Appendices and Forms: The Supreme Court approved the mandatory disclosures and financial affidavit forms referenced in 16.2(e)(2), and inclusion of both forms in the Appendix to Chapters 1 to 17A of the Colorado Rules of Civil Procedure. Rule 16.2 requires compliance with the mandatory disclosures, and completion of the financial affidavit form submitted with this Rule to achieve the disclosure intended by the Rule. The court also approved the amended pattern interrogatories (Form 35.3) and pattern requests for production (Form 35.4). The court further approved the form of the Stipulated Case Management Plan, an associated Order referenced in 16.2(c)(1)(C), and the Court Authorization for Financial Disclosure, referenced in 16.2(e)(9), which forms now have JDF numbers.

Settlement Conferences: Rule 121, Section 1-17 has been amended to permit a judge or magistrate to conduct a settlement conference or utilize other alternative dispute resolution techniques under Rule 16.2(i).

Appendix to Chapters 1 to 17A
FORM 35.1. MANDATORY DISCLOSURE
FORM 35.2. FINANCIAL AFFIDAVIT
FORM 35.3. PATTERN INTERROGATORIES (DOMESTIC RELATIONS)
FORM 35.4. PATTERN REQUEST FOR PRODUCTION OF DOCUMENTS
(DOMESTIC RELATIONS)

FORM 35.1 – Mandatory Disclosure

[Reference to 16.2(e)(2). These are not to be filed with the court, except as may be ordered pursuant to C.R.C.P. 16.2]

Mandatory Disclosures. (Complete and accurate copies may replace originals. Children refers to minor children of both parties.)

(a) **Financial Affidavit.** Each party shall provide a complete and signed Financial Affidavit in the Supreme Court approved form. See Appendix to Chapters 1 to 17A, Form 35.2, C.R.C.P.

(b) **Income Tax Returns (Most Recent 3 Years).** Provide the personal and business federal income tax returns for the three years before filing of the petition or post decree motion. The business returns shall be for any business for which a party has an interest entitling the party to a copy of such returns. Provide all schedules and attachments including W-2's, 1099's and K-1. If a return is not completed at the time of disclosure, provide the documents necessary to prepare the return including W-2's, 1099's and K-1's, copies of extension requests and estimated tax payments.

(c) **Personal Financial Statements (Last 3 Years).** Provide all personal financial statements, statements of assets or liabilities, and credit and loan applications prepared during the last three years.

(d) **Business Financial Statements (Last 3 Years).** For every business for which a party has access to financial statements, provide the last three fiscal years' financial statements, all year-to-date financial statements, and the same periodic financial statements for the prior year.

(e) **Real Estate Documents.** Provide the title documents and all documents stating value of all real property in which a party has a personal or business interest. This section shall not apply to post decree motions unless so ordered by the court.

(f) **Personal Debt.** Provide all documents creating debt, and the most recent debt statements showing the balance and payment terms.

(g) **Investments.** Provide most recent documents identifying each investment, and stating the current value.

(h) **Employment benefits.** Provide most recent documents identifying each employment benefit, and stating the current value.

(i) Retirement Plans. Provide most recent documents identifying each retirement plan, and stating the current value, and all Plan Summary Descriptions.

(j) Bank/Financial Institution Accounts. Provide most recent documents identifying each account at banks and other financial institutions, and stating the current value.

(k) Income Documentation. For each income source in the current and prior calendar year, including income from employment, investment, government programs, gifts, trust distributions, prizes, and income from every other source, provide pay stubs, a current income statement and the final income statement for the prior year. Each self-employed party shall provide a sworn statement of gross income, business expenses necessary to produce income, and net income for the three months before filing of the petition or post decree motion.

(l) Employment and Education-Related Child Care Documentation. Provide documents that show average monthly employment-related child care expense including child care expense related to parents' education and job search.

(m) Insurance Documentation. Provide life, health and property insurance policies and current documents that show beneficiaries, coverage, cost including the portion payable to provide health insurance for children, and payment schedule.

(n) Extraordinary Children's Expense Documentation. Provide documents that show average monthly expense for all recurring extraordinary children's expenses.

FORM 35.2. FINANCIAL AFFIDAVIT

<input type="checkbox"/> District Court <input type="checkbox"/> Denver Juvenile Court _____ County, Colorado Court Address: _____ <hr/> In re: <input type="checkbox"/> The Marriage of: <input type="checkbox"/> Parental Responsibilities concerning: _____ Petitioner: and Co-Petitioner/Respondent: _____	▲ COURT USE ONLY ▲
Attorney or Party Without Attorney (Name and Address): _____ Phone Number: _____ E-mail: _____ FAX Number: _____ Atty. Reg. #: _____	Case Number: _____ Division _____ Courtroom _____
AFFIDAVIT WITH RESPECT TO FINANCIAL AFFAIRS AS OF _____ (DATE)	

I, _____ being sworn, understand that I have a duty to make a full disclosure of all my assets, liabilities, income and expenses. I certify that this is a full disclosure to the best of my knowledge:

My occupation is: _____

I am primarily employed _____ hours per week at _____ (name of employer) at _____ (address).

I am paid on _____ (list pay dates or otherwise describe pay schedule)

1. **MONTHLY Income** (Convert annual, bi-monthly, and weekly amounts to monthly amounts)

	\$		\$
Base Pay from Salary, Wages		Rental Net Income & Business Profits	
Overtime & Shift Differential		Social Security Benefits (SSA)	
Commissions, Tips, Bonuses, Allowances, and similar pay		TANF and Food Stamps	
Additional Employment (such as part time)		Child and spousal support from others	
Self-employment or other business income from sources such as partnerships, close corp., and/or independent contracts <small>(Gross receipts minus ordinary and necessary expenses required to produce such income)</small> <input type="checkbox"/> Check box indicating you have completed a Supplemental Schedule at pp. 9 – 10 itemizing such gross income and necessary expenses.		Monthly reimbursed expenses and in-kind payments to the extent that they reduce personal living expenses <input type="checkbox"/> Check box indicating you have completed a Supplemental Schedule at pp. 9 – 10 itemizing such reimbursed expenses & in-kind payments.	
Unemployment & Veterans' Benefits		Fellowships, stipends, annuities	
Disability, Workers' Compensation		Contributions from household members	
Pension & Retirement Benefits		Money, goods & services from relatives/friends	
Interest & Dividends		All other sources, examples: personal injury settlement, non-reported income, etc.	
Royalties, Trust & Other Investment Income		Total Monthly Income	\$

Comment: _____
 (Note: Attach copies of your last 3 months pay stubs/vouchers)

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2. MONTHLY Deductions

Mandatory Deductions		Voluntary Deductions, Continued	
Federal Income Tax		Health, Dental, Vision Insurance	
State Income Tax		Dues	
PERA/Civil Service		Bonds	
Social Security Tax		Stock Purchase Plan	
Medicare Tax		Flex Benefit Cafeteria Plan	
Local Tax		Disability Insurance	
Other - _____		Life Insurance	
Other - _____		Charity	
Other - _____		Child Care	
Voluntary Deductions		Other - _____	
Credit Union (savings)		Other - _____	
Credit Union (loan)		Other - _____	
Retirement/Deferred Compensation			
Filing Status: _____		Total Monthly Deductions:	\$
No. of Dependents Claimed: _____		Total Monthly Net Income:	\$

Comment on the above: _____

(List monthly expenses below, not deducted from pay above. For any **Anticipated Change** in expenses, list the amount by which the **Actual** amount will "+" increase or "-" decrease).

3. MONTHLY Expenses This budget is for a household consisting of _____ adult(s), and _____ minor child(ren).

A. Housing	Actual	Anticipated Change	C. Food & Supplies	Actual	Anticipated Change
1 st Mortgage	\$	\$	Groceries / Supplies	\$	\$
2 nd Mortgage			Dining Out		
Rent			D. Uninsured Health Care		
Property Taxes (not in mortgage payment)			Doctor		
Maintenance			Dentist		
Condo/Homeowner's Fees			Orthodontist		
Security System			Vision Care		
Cleaning Services			Medicine/RX Drugs		
Lawn care, snow removal			Therapist		
Other - _____			Other - _____		
B. Utilities			E. Insurance		
Gas/Elec/Water/Sewer (if combined on one bill)	\$	\$	Automobile	\$	\$
Gas/Heating Fuel			Health/Hospital		
Electric			Dental		
Water/Sewer			Vision		
Cell Phone/pager			Disability		
Phone/Long Distance			Homeowner's/Renter's (not in mortgage payment)		
Trash Removal			Life		
Internet Provider			Other - _____		

Other - _____

Comment on the above: _____

F. Transportation	Actual	Anticipated Change	L. Recreation/Entertain.	Actual	Anticipated Change
Primary Vehicle Payment	\$	\$	Newspapers/Magazines	\$	\$
Other Vehicle Payment(s)			Books		
Fuel			Vacation/Travel		
Maintenance			Membership/Clubs		
Registration and Tax			Cable/Satellite TV		
Parking			Movies/Video Rentals		
Bus/Commute Fees			Sports Events/Participation		
Other - _____			Hobbies		
			Other - _____		
G. Clothing & Shoes (for you)			M. Miscellaneous		
Clothing & Shoes			Gifts		
H. Laundry/Dry Clean			Hair/Nail Care		
I. Children's Exp's & Activities			Pets/Pet Care		
Clothing & Shoes			Postage		
Work/Ed. Child Care			Photographs		
Babysitting			Bank Charges		
Tuition/Lessons			Home Furnishings		
Books/Supplies			Household equipment/tools		
Tutor			Professional Association		
School Lunches			Legal		
Activities/Fees/Field Trips			Accounting		
Allowance			Charity/Worship		
Other - _____			Other - _____		
J. Education (for you)			Other - _____		
Tuition/Lessons			N. Investments (not payroll deducted)		
Books/Supplies			Savings		
Activities/Fees			Retirement		
Other - _____			Other - _____		
			Other - _____		
K. Maintenance & Child Support (that you pay)			Monthly Expenses		
Spousal Maintenance					\$
Child Support			Adjustments (Anticipated Change)		\$
Summary of Total Net Income, Expenses & Monthly Debt:			Total Monthly Expenses (after adjustments/anticipated change)		\$
			Total Monthly Net Income		\$
			Less Total Monthly Expenses		\$
			Less Min. Mo. Debt Payment (from next page)		\$

	Shortfall or Excess	\$
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Comment upon the above: _____

4. Debts (unsecured)

(List unsecured debts such as credit cards, store charge accounts, loans from family members, etc. Do not list debts that are liens against your property, such as mortgages and car loans, because their payment is already listed as an expense above, and the total of the debt is shown elsewhere as a deduction from value where that asset is listed, such as under Real Estate or Motor Vehicles) (For name on account, "P" = Petitioner, "R" or "Co-Pet" = Respondent or Co-Petitioner, "J" = Joint)

Creditor	Account Number	Name on Account	Date of Balance	Balance	Minimum Monthly Payment Required	Principal Purchase(s) for Which Debt Was Incurred
				\$	\$	
Unsecured Debt Balance				\$	\$	→Total Min. Mo. Pmt.

Instructions for Completing Assets Schedules

(If you have more items for a category than the space provided, **do not** fill in the detail in that space; instead, provide the detail on the Supplemental Schedule at the end of this form. When you have done that, compute the total equity for that asset class and place that amount in the "Total" box provided for that category of asset. If a "Total" box has not been provided for that asset, show the fair market value of that asset, any debt against it, and the remaining equity on the Supplemental Schedule.) (For title designation, "P" = Petitioner, "R" or "Co-Pet" = Respondent or Co-Petitioner, "J" = Joint)

Schedule A. Real Estate

Property Type Owned (residence, condo, rental, etc.)	Address	Title	Fair Market Value	Basis of Fair Market Value (appraisal, estimate, purchase price, etc.)	First Mortgage	Second Mortgage	Equity
Total							\$

First Real Estate Asset:

Date of 1st Mortgage Balance _____
 Date of 2nd Mortgage Balance _____

Second Real Estate Asset:

Date of 1st Mortgage Balance _____
 Date of 2nd Mortgage Balance _____

Date of Fair Market Value _____ Date of Fair Market Value _____

Comment: _____

(Include any comment you wish to make, such as the name and address of the person or entity to whom mortgage debt(s) is/are owing)

Schedule B. Motor Vehicles

(For title designation, "P" = Petitioner, "R" or "Co-Pet" = Respondent or Co-Petitioner, "J" = Joint)

Vehicle, Year, and Model	Title	Principal Operator	Date of Value & Debt	Creditor to Whom Debt is Owning	Basis Used to State Value (Estimate, NADA, or Kelley Bluebook)	Fair Market Value	Amount of Debt Owning	Equity
Total							\$	

Comment: _____

Schedule C. Cash on Hand, Bank, Checking, or Saving Accounts, CD's

Type of Account	Institution and Location	Account Number	Name on Account	Date of Balance	Balance
Total					\$

Comment: _____

Schedule D. Life Insurance

Company & Policy Number	Type of Policy (whole life, term, universal, etc.)	Insured	Owner	Beneficiary	Face Amount of Policy	As of Date	Outstanding Loan Balance and/or Surrender Charge	Cash Surrender Value (Net of Loan & Surrender Charge)

Total								\$

Comment: _____

Schedule E. Furniture and Household Goods

("Value" equals what you could sell it for in its current condition, such as at auction, not what you paid for it or cost of replacement.)

Item	Value in Petitioner's Possession	Value in R or Co-Pet. Possession	Value Elsewhere
Household furnishings			
Total			\$

Comment: _____

Schedule F. Stocks, Bonds, Mutual Funds, Securities &/or Investment Accounts (Non-Retirement)

(For Owner, "P" = Petitioner, "R" or "Co-Pet" = Respondent or Co-Petitioner, "J" = Joint) For "Tax Basis" enter the amount you paid for it, or its value at the date of your receipt of it by gift or inheritance. Show items owned by category. Include shares of stock, mutual fund units, bonds, warrants, debentures, treasury bills, notes, and any other securities owned by you that are not in retirement plans. Give your best estimate of market value if items are sold on an open market, or traded on a recognized exchange, and their unit or share value as of the date of your completing this form).

Name of Item or Fund	# of Shares or Units	Value Per Share or Unit	As of Date	Tax Basis	Owner	Brokerage or Location of Security	Account Number	Margin Account Balance	Net Value
Total									\$

Comment: _____

Schedule G. Pension, Profit Sharing, or Retirement Funds – Defined Contribution Plans

(Include those having an actual balance today in your name, but are not paid out as regular monthly or annual amounts for life. For example, do not list PERA, Civil Service, FFPA, Union or Military Retirement here, but do list SEPs, IRAs, Keoghs, 401(k), 403(b), 457 Tax Savings Plans, TIAA/CREF, etc.)

Category of Retirement Plan Asset (401(k), IRA, etc.)	Official Plan Name (or if IRA), Name of Institution Where Held	Name and Address of Plan Administrator (or if IRA) Institution Address	Owner	Account Number	Value as of what date	Current Value

Total						\$

Comment: _____

Schedule H. Other Pension or Retirement Funds – Defined Benefit Plans

(Include those that are paid at retirement as regular monthly or annual amounts for life or some defined period of time. For example, do list PERA, Civil Service, FFPA, Union or Military Retirement here, but do not list SEPs, IRAs, Keoghs, 401(k), 403(b), 457 Tax Savings Plans, TIAA/CREF, etc.) (If more than two plans, place the information for the additional plan on the Supplemental Schedule)

	<u>First Plan</u>	<u>Second Plan</u>
Name of Employer and division or dept., or military service	_____	_____
Name of Retirement Plan	_____	_____
Address & telephone number for Plan or retirement authority	_____	_____
Your date of birth	_____	_____
Spouse's date of birth	_____	_____
Date of hire or enlistment	_____	_____
Plan Entry Date (if not date of hire)	_____	_____
Date of Marriage	_____	_____
Your rank, (if military), or your job description	_____	_____
Date 1 st eligible to receive retirement	_____	_____
Expected amount of lump sum or monthly payments	_____	_____

Schedule I. Miscellaneous/Other Assets or Interests (not listed above)

(Check the box of the item listed below if you have that item. By leaving the box blank you are stating that you do not have that item. If you have checked the box, provide the detail concerning it on the Supplemental Schedule at the end of this form. If it is an asset or interest that has a fair market value, then list debt against it, and the remaining equity on that same Supplemental Schedule. If you have an asset or interest that is not listed, check the box and fill in the blank for identifying such additional item, and provide the detail on the Supplemental Schedule at pp. 9-10.)

- | | | |
|---|---|--|
| <input type="checkbox"/> Business interests (not publicly traded) | <input type="checkbox"/> Country and other club memberships | <input type="checkbox"/> Supplemental exec. retire. plan |
| <input type="checkbox"/> Stock options | <input type="checkbox"/> Sports memberships, e.g., Broncos | <input type="checkbox"/> Accrued paid sick leave, vacation, or personal leave |
| <input type="checkbox"/> Trust beneficiary (whether or not you are currently receiving money) | <input type="checkbox"/> Livestock | <input type="checkbox"/> Bonus or retirement, partially or wholly accrued, but not yet paid to you |
| <input type="checkbox"/> Money that is owed to you personally (not including bus. acct's receivable) | <input type="checkbox"/> Growing or stored crops | <input type="checkbox"/> Cash, gold, or silver bullion |
| <input type="checkbox"/> Loans owing to you by your business | <input type="checkbox"/> Farm implements & equipment | <input type="checkbox"/> Children's assets or accounts held or managed by you |
| <input type="checkbox"/> IRS refunds due to you | <input type="checkbox"/> Power tools | <input type="checkbox"/> Safety deposit box, vault, or safe (if checked, identify contents) |
| <input type="checkbox"/> Estimated payments made on taxes | <input type="checkbox"/> Motor home | <input type="checkbox"/> Deferred Compensation Plans (not detailed elsewhere) |
| <input type="checkbox"/> Security deposit(s) you have made | <input type="checkbox"/> Motorcycles, ATV, snowmobiles | <input type="checkbox"/> Health Savings Accounts |
| <input type="checkbox"/> Prepaid expenses – e.g., sports season tickets, travel, fees in attorney's trust | <input type="checkbox"/> Boats | <input type="checkbox"/> Section 520 Education Accounts |
| accounts, down payment on lease vehicle, etc. | <input type="checkbox"/> Recreation and sports equipment | <input type="checkbox"/> _____ |
| | <input type="checkbox"/> Frequent Flyer Miles | <input type="checkbox"/> _____ |

- Royalties
- Collectibles (coins, plates, wine, etc.)
- Guns
- Art
- Jewelry
- Oriental rugs
- Motel/hotel/vacation club points
- Timeshares
- Back maint. or child sup. owed to you
- Pending lawsuit or claim by you
- Oil and Gas interests
- Water rights
- Contract rights

Schedule J. Separate Property

"Separate property" includes the following: (1) property acquired prior to the marriage, (2) property acquired by gift or inheritance during the marriage, (3) property acquired in exchange for property acquired prior to the marriage or in exchange for property acquired by gift or inheritance during the marriage, (4) property acquired after the entry of a Decree of Dissolution of Marriage or Legal Separation, and (5) property excluded from the marital property by valid agreement of the parties.

If separate property is mixed with marital property, for example, by placing ownership of it or proceeds from the sale of it into property held in both spouses' names, the separate property may become marital property.

Any increase in the value of separate property from the date of marriage or, if acquired during the marriage, from the date of acquisition is marital property.

I, Petitioner or Respondent or Co-Petitioner, claim the following "separate property":

(check (or click on) box below if owned before marriage)	Description of Separate Property Interest <small>(if it has changed form since marriage, or since acquired if after marriage, briefly trace the changes here into its current form)</small>	Date Interest Acquired, If During Marriage	From Whom Interest Acquired, if During Marriage	Value of Interest on Date of Marriage, or on Date Acquired if During Marriage	Current Value of Asset into which you have traced your Separate Property Interest	Marital Equity, or Decrease in or Depletion of Separate Property Value
<input type="checkbox"/>						
<input type="checkbox"/>						
<input type="checkbox"/>						



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Schedule K. Supplemental Schedule

Item	Description	Comment			

OATH

I affirm that this Affidavit With Respect To Financial Affairs (including attached Supplemental Schedules) contains a complete disclosure of all items of property in which I have any current interest or I expect to receive in the future based upon the work or events that took place during the marriage, and all liabilities for which I am aware that I could be held personally responsible. I also affirm that the representations made herein concerning my income and expenses are accurate to the best of my knowledge. I am aware that should the information provided herein prove to be fraudulent or contain material misstatements or omissions, whether inadvertent or intentional, or be found to be inaccurate, the court shall have continuing jurisdiction to enter such orders as it considers necessary in equity and law to determine the rights and duties with regard to that property right or obligation. I am also aware the court may punish as perjury any materially false statements knowingly made with intent to defraud or mislead.

Your Signature
(Sign only in front of Notary or Court Clerk.)

State of Colorado)
) ss.
County _____)

Subscribed and sworn to before me this _____ day of _____, 20____, by

WITNESS my hand and official seal.

My Commission expires: _____

Notary Public

(SEAL)

Schedule K. Supplemental Schedule, continued

Item	Description	Comment			

Child Support – Attachment to Financial Affidavit

Where the answer below calls for financial amounts, convert the annual amount to a monthly amount by dividing by 12. The term "**joint children**" means those minor children under age 19 who are not emancipated for whom you and the other party are both legally responsible.

Child Support Related Information	Petitioner	Co-Petitioner or Respondent
Total # of joint children (or those who are over 19 but still in high school or an equivalent program, or who are mentally or physically disabled.) (Enter the same number in each person's column in answer to this question.)		
# of joint children who are primarily living with you.		
# of overnights per year the joint children spend with you if they primarily reside with the other party. (If more than one joint child is primarily residing with the other party, add the total # of overnights per year spent with you by all such joint children, then divide that total by the # of joint children primarily residing with the other party.)		
# of non-joint minor children, <u>born before</u> joint children, for whom you are legally responsible <u>and</u> for whom either (a) support is actually being paid by you to a 3rd party, or (b) such non-joint, minor child is living with you and supported by you.		
Amount of support for non-joint minor children, <u>born before</u> joint children, for whom you are legally responsible <u>and</u> for whom support is actually being paid by you to a 3rd person where there is no court order.		
Amount of court ordered support for non-joint children being paid by you to a 3rd person pursuant to a court order.		
Monthly <u>work or job search related</u> child care paid by you for joint children. (Include annual summer/school and vacation child care expenses work or job search related in your answer, converting total to monthly average.)		
Monthly child care paid by you for joint children <u>while you are pursuing an education</u> . (Include annual summer/school and vacation child care expenses during such pursuit, converting total to monthly average.)		
Monthly average of <u>uninsured</u> medical and dental expenses exceeding \$250.00 per year per joint child, paid by you for joint children.		
Monthly avg. of private schooling or education expenses paid by you for joint children who have <u>not yet</u> graduated from high school.		

Monthly avg. of private schooling, college or other education expenses paid by you for joint children who <u>have</u> graduated from high school.		
Monthly cost of transport of joint children for parenting time (a/k/a visitation) between homes, or for child and an accompanying party for parenting time if child is under 12.		
Portion of monthly health, dental, vision insurance paid by you attributable to joint children. (If premium covers others and joint children's portion is unallocated, divide monthly premium by # of persons covered, and multiply result by # of joint children.)		
Extraordinary expenses you propose the Court deviate from the child support guidelines and apportion between you and the other party. (Examples: auto ins. for teenager, lessons, tutor, sports equipment, extra-curricular activities, camps.)		
Adjustment to child support you propose for substantial monthly income of the child, Social Security for child, or other adjustments diminishing child's basic needs, that you propose be applied to reduce child support obligation.		

FORM 35.3 – Pattern Interrogatories (Domestic Relations)

[Reference to C.R.C.P. 16.2, 26 and 33. These are not to be filed with the court, except as may be ordered.]

Section 1. Instructions to All Parties

- (a) These are general instructions. For time limitations, requirements for service on other parties, and other details, see C.R.C.P. 16.2, 26, 33, 121 §1-12, and the cases construing those Rules.
- (b) These interrogatories do not change existing law relating to interrogatories nor do they affect an answering party's right to assert any privilege or objection.

Section 2. Instructions to the Asking Party

- (a) These interrogatories are designed for optional use in domestic relations cases only.
- (b) Use care in choosing those interrogatories that are applicable to the case.
- (c) Subject to the limitations in C.R.C.P. Rules 16.2 and 33, additional interrogatories may be attached.

Section 3. Instructions to the Answering Party

- (a) An answer or other appropriate response must be given to each interrogatory. Parties are to answer these interrogatories with the understanding that they stand in a fiduciary relationship with each other.
- (b) As a general rule, within 30 days after you are served with these interrogatories, you must serve your responses on the asking party and serve copies of your responses on all other parties to the action who have appeared. See C.R.C.P. 33 for details.
- (c) Each answer must be as complete and straightforward as the information reasonably available to you permits. If an interrogatory cannot be answered completely, answer it to the extent possible.
- (d) If you do not have enough personal knowledge to fully answer an interrogatory, say so, but make a reasonable and good faith effort to get the information by asking other persons or organizations, unless the information is equally available to the asking party in which case state the identity, address and telephone number of the person in possession.
- (e) Whenever an interrogatory may be answered by referring to a document, the document may be attached as an exhibit to the response and referred to in the response. If the document has more than one page, refer to the page and section where the answer to the interrogatory can be found.
- (f) Whenever an address and telephone number for the same person are requested in more than one interrogatory, you are required to furnish them in answering only the first interrogatory asking for that information.
- (g) Your answers to these interrogatories must be verified, dated, and signed. You may wish to use the following form at the end of your answers:

I declare under penalty of perjury under the laws of the State of Colorado that the foregoing answers are true and correct.

DATE _____ SIGNATURE _____

Section 4. Definitions

- (a) You or your includes you, your agents, your employees, your insurance companies, their agents, their employees, your attorneys, your accountants, your investigators, and anyone else acting on your behalf.
- (b) Person includes a natural person, firm, association, organization, partnership, business, trust, corporation, or public entity.
- (c) Document means a writing, as defined in CRE 1001 and includes the original or a copy of handwriting, typewriting, printing, photostating, photographing, magnetic impulses, mechanical or electronic recording or other form of data compilation and every other means of recording upon any tangible thing and form of communicating or representation, including letters, words, pictures, sounds, or symbols, or combinations of them.
- (d) Address means the street address, including the city, state, and zip code.

Section 5. Pattern Interrogatories

The following interrogatories have been approved by the Colorado Supreme Court under C.R.C.P. 16.2 and 33.

- 1. If you are employed by any business or enterprise, for each state:
 - a. Its name, address and telephone number;
 - b. Your position;
 - c. Your present gross monthly income;
 - d. Your compensation arrangement including a complete description of draws, incentives, bonuses, perquisites and any other method of compensation;
 - e. Your date of hire;
 - f. The names of all documents fixing your compensation terms (contract, corporate minutes, memoranda, policy manual, etc.)
 - g. If you have the use of company property, describe and explain your arrangement for use and payment;
 - h. Whether you have any outstanding bonuses, commissions, or any other payment, benefit or perquisite due to you, and if so, please describe and state the amount and date due;
 - i. The date of your next compensation review;
 - j. The amount of compensation adjustment anticipated at your next compensation review.
- 2. Other than your present place of employment, list in detail all other places of employment during your marriage. With regard to each, state the following:
 - a. The name, address and telephone number of your employer;
 - b. The inclusive dates of employment;
 - c. The type of work performed;

- d. The gross annual income from such employment in each of the years during the marriage.
 - e. Any retirement benefits earned with that employer.
3. State, in detail, your level of education, and all professional or vocational training which you have received, dates you attended each institution or received training, and the date any degrees or certificates of completion were acquired. State with particularity any additional professional, vocational or artistic skills for which you have received compensation or public recognition.
4. If the expenses on your Affidavit with Respect to Financial Affairs include the support of any person other than yourself or your children, state the name of each person and the monthly expenses attributable to such person.
5. If you have disposed of any property with a value of \$1,000.00 or more, including without limitation, stocks, bonds, debentures or other items of a similar nature in the last 12 months, for each item state:
- a. Description of the property;
 - b. The date acquired and tax basis;
 - c. The date you disposed of the property;
 - d. The amount received by you;
 - e. The fair market value of the security on the date disposed of;
 - f. What you did with the sale proceeds;
 - g. The amount that is still due and owing to you.
6. If during the last three years you have sold or transferred any interest in real property, for each sale and/or transfer, state:
- a. The address and description of the property;
 - b. The date of sale or transfer;
 - c. The method of transfer;
 - d. The name and address of each purchaser or person receiving title, and the interest received by such person;
 - e. The purchase price or consideration;
 - f. The amount of the purchase price that remains due and owing;
 - g. The amount of the proceeds of the transfer received by you;
 - h. The disposition of the proceeds;
 - i. The interest you presently have in such property.
7. If any person or entity holds any property for your benefit, including, but not limited to bank accounts, IRAs, Keoghs, stocks, securities or investments of any kind, for each state:
- a. The name and address of each such person, firm or legal entity;
 - b. A description of the item held for your benefit;
 - c. The conditions under which the item is held for your benefit;
 - d. The fair market value of the property.
8. If you are currently involved in any business or investment with others, for each set forth the particular details, including the following:
- a. A description of the business or investment;
 - b. The name and address of the other parties involved;
 - c. The purpose;
 - d. Your contribution;
 - e. The tax basis of your contribution;
 - f. Your percentage of ownership;
 - g. The fair market value of your share;

- h. Any agreement among the partners for ownership, management and sale.
9. If you have received any gifts of money, non-taxable income or assets from any source other than through your business or employment of \$1,000.00 or more in the last three years, set forth the following:
- a. The amount of money or value of the asset received and date of receipt;
 - b. The name and address of the person or entity from whom the amount is received;
 - c. The consideration given by you or other reason for payment to you.
10. If you are a beneficiary of the estate of any person, state:
- a. The amount of the estate;
 - b. Whether the estate is being probated or administrated;
 - c. Whether distribution has been made to you from such estate;
 - d. The amount of money or property you have received from such estate;
 - e. The date(s) distribution was made; or if distribution has not been made, the date you anticipate receiving said distribution.
11. If you are a beneficiary of any current or terminated trust, state:
- a. The date of the creation of each trust;
 - b. The name and address of the trustee;
 - c. The amount of principal in the trust;
 - d. The amount of income and other distributions you receive each year from the trust;
 - e. The name and address of the grantor;
 - f. If the trust has been terminated, the date and circumstances of the termination.
12. For any business operated by you alone or with others during the last three years, state the following:
- a. The name and address of the business;
 - b. The form of the business organization;
 - c. The name and address of each officer and owner of the business;
 - d. The date when you obtained your interest in the business;
 - e. Your capital contribution to the business;
 - f. Your ownership interest (by percentage and number of shares);
 - g. The date and amount of all outstanding loans to which you are a party;
 - h. The annual gross profits of the business since you have been engaged in the business;
 - i. All payments to or for you from the business, whether salary, bonus, dividend, commission, draw, advance, loan or payment of personal expenses from three years to date;
 - j. All expenses reimbursed to or paid for you by each business, including but not limited to, insurance, supplies, food, travel, transportation, education, entertainment, and business gifts from three years to date;
 - k. The fair market value of the business;
 - l. The current fair market value of your interest, and your explanation of how you calculated same;
 - m. Whether or not you intend to sell your interest;
 - n. The tax basis of your interest.
13. If allocation of parental responsibilities (that is, decision-making and/or parenting time) is an issue:
- a. State whether joint parental decision-making or sole parental decision-making is best for the child(ren) and why;
 - b. State which party should be designated primary residential care and why;

- c. Outline a schedule of parenting time for each party, including a holiday/school break schedule and a summer schedule;
- d. Outline the manner in which parental responsibilities have been shared with the other party, i.e., daily caretaking, participation in school/extracurricular events, financial support, choosing the child(ren)'s doctors and dentists, choosing school(s), etc.;
- e. Describe any history of domestic violence, child abuse, or neglect (supporting documentation should be provided);
- f. Describe any physical, psychological or addictive condition of either party which if untreated has a harmful effect on the best interest of the child(ren) and why;
- g. Describe any special needs of any child (physical, psychological, educational, etc.);
- h. Describe any history of counseling or therapy for either party or any child; include the names, addresses and telephone numbers of the person(s) providing same;
- i. State whether regular contact with grandparents, extended family, and/or other significant adults is contrary to the best interests of the child(ren) and why;
- j. Describe any extraordinary travel arrangements necessary for parenting time;
- k. Describe current child support arrangements and state whether payments are current;
- l. Describe the child care arrangements for the child(ren) for the last three years including the name, address and telephone number of each child care provider.

FORM 35.4 - Pattern Requests for Production of Documents (Domestic Relations)
[Reference to C.R.C.P. 16.2, 26 and 34. These are not to be filed with the court, except as may be ordered.]

Section 1. Instructions to All Parties

- (a) These are general instructions. For time limitations, requirements for service on other parties, and other details, see C.R.C.P. 16.2, 34, 121 § 1-12, and the cases construing those Rules.
- (b) These requests for production of documents do not change existing law relating to requests for production of documents nor do they affect an answering party's right to assert any privilege or objection.

Section 2. Instructions to the Asking Party

- (a) These requests for production of documents are designed for optional use in domestic relations cases only.
- (b) Use care in choosing only those requests for production of documents that are applicable to the case. Documents should not be requested that have been provided by disclosure or other means.
- (c) Subject to the limitations in C.R.C.P. Rules 16.2 and 34, additional requests for production of documents may be attached.
- (d) Complete and accurate copies may replace originals.

Section 3. Instructions to the Answering Party

- (a) An answer or other appropriate response must be given to each request for production of documents. Parties are to provide documents in response to these requests for production of documents with the understanding that they stand in a fiduciary relationship with each other.
- (b) As a general rule, within 30 days after you are served with these requests for production of documents, you must serve your responses on the asking party and serve copies of your responses on all other parties to the action who have appeared. See C.R.C.P. 34 for details.
- (c) The response shall state with respect to each item or category that inspection and related activities will be permitted as requested, unless the request is objected to, in which event the reasons for the objection shall be stated. If an objection is made to part of an item or category, the part shall be specified and an inspection permitted of the remaining parts.
- (d) A party who produces documents for inspection shall produce them as they are kept in the usual course of business or shall organize and label them to correspond with the categories in the request.

Section 4. Definitions

- (a) You or your includes you, your agents, your employees, your insurance companies, their agents, their employees, your attorneys, your accountants, your investigators, and anyone else acting on your behalf.
- (b) Person includes a natural person, firm, association, organization, partnership, business, trust, corporation, or public entity.
- (c) Document means a writing, as defined in CRE 1001 and includes the original or a copy of handwriting, typewriting, printing, photostating, photographing, magnetic impulses, mechanical or electronic recording or other form of data compilation and every other means of recording upon any tangible thing and form of communicating or representation, including letters, words, pictures, sounds, or symbols, or combinations of them.
- (d) Address means the street address, including the city, state, and zip code.

Section 5. Pattern Request for Production of Documents

The following requests for production of documents have been approved by the Colorado Supreme Court under C.R.C.P. 16.2, 26 and 34.

1. All balance sheets, and/or profit and loss statements for any business entity in which you have more than a 10 percent equity interest, which have been prepared in the last three years.
2. All passbooks, certificates of deposit, credit union deposits, money market accounts, NOW accounts, mutual funds, and other evidence of savings accounts in which you or the other party has an interest or appear of record thereon, for the last three years.
3. All monthly bank statements, deposit slips, canceled checks, and check registers of every checking or other money management account in which you or the other party has an interest or appear of record thereon, for the last three years.
4. Copies of all stock certificates, stock option plans, stock option certificates, vesting schedules, or warrants owned or in which either party has an interest, and copies of all documents establishing ownership and/or defining ownership value for all investments, or any other documents evidencing your interest in such stock, stock options, or investments.
5. All brokerage account statements and documents concerning any and all securities and investments owned by you or for your benefit during the last three years.
6. All appraisals, market analyses, records of purchase and sale, deeds, bills of sale, security agreements, promissory notes, and payment records for any property, including but not limited to, real estate, business interests or any kind of personal property either owned or sold within the last three years by you or the other party.
7. All trust agreements in which you or the other party is or has been grantor,

trustee or beneficiary.

8. Monthly credit card and charge account statements for the last twenty-four months, from any credit card company or charge account on which you are a signator, either in a personal capacity or as an authorized signatory for any business or person.
9. All documentation evidencing any separate interest you claim in any real or personal property, including but not limited to gift and inheritance tax returns filed concerning such property.

Colorado Rules of Civil Procedure
Chapter 17A. Practice Standards and Local Court Rules
Rule 121. Local Rules – Statewide Practice Standards
Section 1-17. COURT SETTLEMENT CONFERENCES

1. At any time after the filing of Disclosure Certificates as required by C.R.C.P. 16, any party may file with the courtroom clerk and serve a request for a court settlement conference, together with a notice for setting of such request. The court settlement conference shall, if the request is granted, be conducted by any available judge other than the assigned judge. In all instances, the assigned judge shall arrange for the availability of a different judge to conduct the court settlement conference.
2. All discussions at the settlement conference shall remain confidential and shall not be disclosed to the judge who presides at trial. Statements at the settlement conference shall not be admissible evidence for any purpose in any other proceeding.
3. This Rule shall not apply to proceedings conducted pursuant to Rule 16.2(i).