



**SEVENTEENTH JUDICIAL DISTRICT
ADAMS COUNTY AND THE CITY AND COUNTY OF BROOMFIELD COLORADO**

ORDER OF THE CHIEF JUDGE

09-03

EARLY NEUTRAL ASSESSMENT PROGRAM

WHEREAS, Early Neutral Assessment (hereinafter "ENA") is a voluntary, informal, confidential, dispute resolution process that was developed by the Hennepin Family Court program in Minnesota in order to assist parties in coming to a voluntary agreement that is in the best interests of the child(ren); AND

WHEREAS, in accordance with C.R.S. 13-22-302(4.5) "multi-door courthouse concepts" allows the court the flexibility to implement pilot programs to meet the needs of families going through a domestic relations proceeding.

WHEREAS, the purpose of the ENA program in the 17th Judicial District is to evaluate the use of alternatives to the appointment of CFIs and CLR's. The assessment impression would determine whether the use of alternatives results in equal or better outcomes, and whether it provides a cost efficient alternative for families.

WHEREAS, any attorney or mental health services through the ENA program must be by attorneys and mental health professionals who are approved as an ENA evaluator team by the 17th Judicial District; AND

WHEREAS, payment for the attorney and mental health services for ENA will be based in accordance with the attached policy and procedures; AND

WHEREAS, the District will maintain statistics such as the number of cases, families served, timeframes of cases, cost savings, and additional information.

NOW THEREFORE IT IS ORDERED THAT:

1. **DURATION.** The ENA program will begin on August 1, 2009 through June 30, 2010.
2. **PROCESS.**
 - A. That this ENA process is voluntary, and has not been Court ordered;
 - B. The ENA process is a confidential one, and that the only information that the ENA evaluators will share with the Court will be the reporting of any settlement, partial settlement, or failure to settle.
 - C. The only exception to this confidentiality is that the ENA evaluators are mandatory reporters of abuse under the appropriate requirements of their profession;

- D. That individual communication with the ENA team will not be construed as ex parte communication with the Court;
- E. That the ENA team consists of two neutral, experienced members, one male and one female, whose role is to provide an assessment of the strengths and weaknesses of the case as presented to them by the parents during the ENA session, helping parties to reach a resolution of the case, or settlement of outstanding issues;
- F. The ENA teams do not offer legal advice, legal counsel, nor engage in therapy;
- G. The ENA teams follow the attached policy and procedures for the district;
- H. The ENA teams will not be called as witnesses, nor their records, notes or work products from this ENA process be subpoenaed, in any legal or administrative proceeding about this dispute.
- I. Once the ENA team has completed assessment of a case, the Court will not appoint either team member as a Child and Family Investigator (CFI), a Child Legal Representative (CLR), or a Parenting Coordinator/Decision-Maker (PC/DM) in the case in any future controversy.

So ordered this 18th day of August, 2009, to be effective immediately.

BY THE COURT:


C. Vincent Phelps, Chief Judge