

# Initial Status Conference

## C.R.C.P. 16.2

By Family Court Facilitators

Eric Burton  
Nicolle Rugh  
Michael Vigil  
Cecilia Wall

# Why Are you Here?



- ▶ You are here to complete your court ordered Initial Status Conference.
- ▶ All Dissolution of Marriage, Dissolution of Civil Union, Legal Separation, Allocation of Parental Responsibilities, Invalidity of Marriage & Invalidity of Civil Union cases must complete an Initial Status Conference within 42 days of the filing of the case.





# ISC Overview & Case Management Order

- ▶ **Order and Notice of ISC**
  - Attached is **Case Management Order**.
  - Both are orders of the court signed by a judge.
  - Parties are required to comply with both orders.
- ▶ Your case will be set for an internal review for about 45 days out from today's date. This is for the court to check the status of your case and whether or not you have complied with the orders.
- ▶ Your case can be delayed or dismissed if you do not comply with the orders.
- ▶ **Temporary Orders Hearing** – Can be requested by either party. This is a hearing where orders can be put in place until your Final Orders Hearing.



# At the end of today you will receive:



- ▶ An Initial Status Conference Order that outlines specific due dates for your case.
- ▶ Process instructions and a list of forms required to complete your case.
- ▶ FCF contact information – Email is Best!



Please Notice This

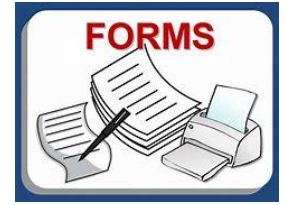


# Meaningful Notice to the Other Party/Service



- ▶ Rule 4 of the Colorado Rules of Civil Procedure requires that meaningful notice be provided to the other party:
  1. **Co-Petitioner Filing:** Petition signed by both parties prior to filing.
  2. **Waiver & Acceptance of Service:** Signed by the other party.
  3. **Proof or Return of Service Form:** Completed and signed by the server.
  4. **Publication by Consolidated Notice:** When the other party cannot be located for service.

# Filing a Response & Fees



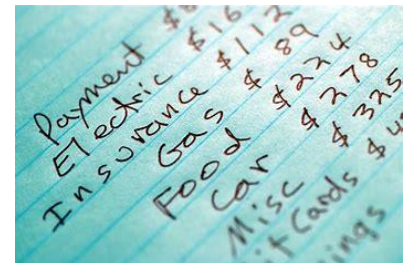
- ▶ Once served, the Respondent has **21 days** (if served in state) or **35 days** (if served out of state) to file a Response to the Petition.
- ▶ The Response to the Petition lets the court and the other party know what you are objecting to and what orders you are asking for.
- ▶ **Filing Fee:** \$116 is charged to the Respondent for the **FIRST** document they file with the court.
- ▶ Fee waiver available upon approval.





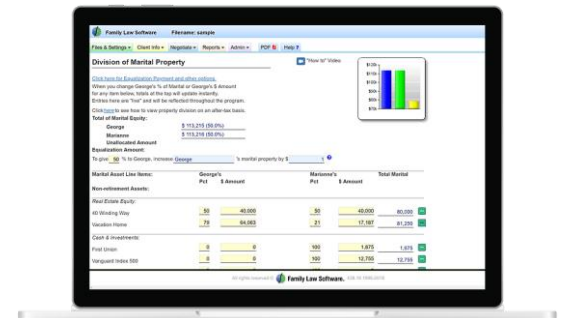
# Sworn Financial Statement & Mandatory Disclosures

- ▶ Each party is REQUIRED to file their own Sworn Financial Statement (JDF 1111 and Supporting Schedule JDF 1111SS). This form must include a FULL disclosure of your current financial situation – no matter what your agreements are.
- ▶ Each party must also comply with the Mandatory Disclosures (16.2) by completing the REQUIRED exchange of financial documentation with each other and filing the Certificate of Compliance (JDF 1104) with the court.



# Spousal/Partner Support Advisement

- ▶ The Facilitators will provide you w/a copy of the Spousal Support Advisement which you will sign stating you received a copy.
- ▶ It is up to the parties to READ and CALCULATE the guideline amount as directed.
- ▶ This is ONLY a GUIDELINE as to support amounts and length of payments.
- ▶ Download the free Family Law Software to assist with calculations.







# Separation Agreement



- ▶ Separation Agreement
- ▶ In Dissolution of Marriage or Civil Union, Legal Separation or Invalidity of Marriage cases, if you and the other party have a full agreement on all issues of property, debt and maintenance, you must file a Separation Agreement (Form JDF 1115) telling the court what your agreement is on each issue. If the court approves your Separation Agreement, it will become a court order once your case is completed.
- ▶ Even if you and the other party agree on some, but not all, issues in your case, you should file a partial Separation Agreement letting the court know what issues you agree on, and where you disagree.
- ▶ If you and the other party do not agree on anything, it is still advisable to file your own Separation Agreement telling the court how you want it to decide issues of assets, debts and maintenance.

# Parenting Plan & Child Support Worksheet



- ▶ Parenting Plan
- ▶ A Parenting Plan (Form JDF 1113) tells the court how you and the other party will parent your child(ren) (regular parenting time, holiday parenting time, decision-making, etc.), and how you will financially support them.
- ▶ If you and the other party agree on all issues regarding parenting time and child support you must file a Parenting Plan in your case. This plan will become an order of the court, if approved, once your case is completed.
- ▶ If you and the other party agree on some but not all issues regarding your children you should to file a partial Parenting Plan letting the court know where there are agreements and where there are not.
- ▶ If you and the other party do not agree on any issues regarding your children, it is still advisable to file your own Parenting Plan letting the court know how you want it to decide all issues regarding your child(ren).
- ▶ The Child Support Worksheet is required for ALL cases involving children under the age of 19 – unless there is already an existing child support order from the court.
- ▶ Download the free Family Law Software to complete the worksheet.



Family Law Software®



# Children and Families In Transition Seminar



- ▶ Must be completed by all parties involved in a case involving children under the age of 18.
- ▶ Available online ONLY (due to COVID 19) @ [www.casappr.org](http://www.casappr.org)
- ▶ Seminar provided by CASA of the Pikes Peak Region.
- ▶ Cost: \$65 per person – unless your income qualifies you to have fees waived by CASA.

# Mediation Requirement



- ▶ Mediation is an intervention by a trained neutral third party with the purpose of assisting two or more individuals to reach their own solutions.
- ▶ Mediation is **REQUIRED** in your case when you do not have a full agreement on all issues in your case. If you and the other party have disputed issues and you do not complete mediation, your case may be delayed or dismissed.
- ▶ Parties are encouraged to set mediation as soon as possible. You do not have to reach an agreement at mediation. Any issues not resolved by the parties will be decided by the judge or magistrate at your hearing.
- ▶ You may use the Office of Dispute Resolution (ODR) at the courthouse or a private mediator. ODR charges \$150 per person for a two hour mediation unless your income qualifies you for a fee reduction. Instructions and the JDF 211 Motion for Reduction of Fees may be obtained from your Family Court Facilitator or our ODR office. Mediation fees must be paid to the mediator at least 10 days prior to your scheduled date. Private mediators set their own schedules and fees.
- ▶ Please let your Family Court Facilitator and your mediator know if you have safety concerns or issues related to domestic violence.

*Questions regarding Mediation: [www.coloradoODR.org](http://www.coloradoODR.org)*

# Mediators

## DO

- ▶ **Do** help parties work together to come to their own agreements.
- ▶ **Do** provide neutral, impartial, professional, and confidential services.

## DO NOT

- ▶ **Do not** represent either party, provide legal advice, or make decisions about the outcome of your case.
- ▶ **Do not** assist you with completing any forms that you need to file for your case.

# Change of Contact Info and Social Security Numbers Required

- ▶ It is the duty of each party to notify the court of any change of address or contact info.
- ▶ Your contact information can only be changed by submitting the Notice of Change Regarding Contact Info form (JDF 1312)
- ▶ Social Security #'s are needed to enter support orders and are kept access restricted to the public.





# Court Care

- ▶ Children are not allowed in ANY court proceeding. FREE childcare is provided (based upon availability and health of the child) through Court Care for children ages 6 wks to 14 years old. Court Care is located in room S140.



# How to file Paperwork

ORIGINAL

- ▶ During the COVID 19 courthouse closure to the public, forms can be submitted by mail or e-filing.
- ▶ **Mailing or Hand Delivery to the Courthouse drop box:** Requires the Original + 2 copies of each document – Single sided documents only. Include 2 self-addressed stamped envelopes (one addressed to each party. The court will keep the original, date stamp and send back the copies.
- ▶ Address: El Paso County Clerk's Office, 270 S. Tejon, Colorado Springs, CO 80903

# Pro Se E-Filing

## Available Jan/Feb 2020

- ▶ One-time opt-in fee of \$12.00
  - This creates a Colorado Courts E-Filing (CCE) account.
  - Once your account is created, you can check the status of your case for free.
- ▶ Per Submission Fee – \$12.00
  - This is charged each time you file. You can file multiple forms at one time.
  - There are additional fees for mailing forms to the other side, etc.
- ▶ None of the fees are refundable.
- ▶ No fee waivers for electronic filings.
- ▶ <https://www.courts.state.co.us/efiling.cfm> – click on “Efiling for Self-Represented Litigants” for more information.



# Additional Assistance



- ▶ You may ask for an optional 30 min one-on-one follow up appointment w/the Family Court Facilitator – usually about 3–4 weeks from today's date.
- ▶ If you choose not to schedule a follow up today, you may also contact our office (by phone or email) and schedule a 15 min phone call with FCF Eric Burton. These are first come first serve appointments Tues – Thurs 330pm, 345pm or 4pm.