

<p>District Court, Adams County, State of Colorado Court Address: 1100 Judicial Center Dr., Brighton, CO 80601</p> <hr/> <p>In Re the Marriage of:</p> <p>VICTORIA LAWLER Petitioner</p> <p>And</p> <p>CHARLES H. CLEMENTS Respondent.</p>	<p>COURT USE ONLY</p>
<p>Attorney or Party Without Attorney (Name and Address): Katherine Grier (attorney for Petitioner) 2701 Alcott St., # 482 Denver, CO 80211 303-477-3980 Fax: 303-477-4192 Reg # 30948</p>	<p>Case Number: 03 DR 1773</p> <p>Division</p>
<p>SUMMONS FOR DISSOLUTION OF MARRIAGE AND TEMPORARY INJUNCTION</p>	

TO THE RESPONDENT NAMED ABOVE:

You are summoned and required to file with the clerk of this court a Response to the attached Petition within twenty (20) days after this Summons is served on you in the State of Colorado, or within thirty (30) days after this Summons is served on you outside of the State of Colorado, or is published.

After ninety (90) days from the date of service or publication, the court may enter a decree affecting your marital status, dividing marital property, and addressing issues involving children, child support, maintenance, attorney fees and costs to the extent the court has jurisdiction.

If you fail to file a Response or enter your appearance in this case, any or all of the matters above, or any related matters, which come before this court, may be decided without further notice to you.

This is an action to obtain a decree of: Dissolution of Marriage as more fully described in the attached Petition, and, if you have children, for orders regarding the children of the marriage.

NOTICE: Colorado Revised Statutes §14-10-107, provides that upon the filing of a Petition for Dissolution of Marriage or Legal Separation by the Petitioner or Co-Petitioner, or upon personal service of the Petition and Summons on the Respondent, or upon waiver and acceptance of service by the Respondent, an automatic temporary injunction shall be in effect against **both parties** until the final decree is entered or the Petition is dismissed, or until further Order of the Court. Either party may apply to the court for further temporary orders, an expanded temporary injunction, or modification or revocation under C.R.S. §14-10-108, or any other appropriate statute.

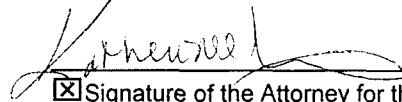
AUTOMATIC TEMPORARY INJUNCTION - BY ORDER OF THE COURT, YOU AND YOUR SPOUSE ARE:

1. **Restrained from transferring, encumbering, concealing or in any way disposing of, without the consent of the other party or an Order of the Court, any marital property, except in the usual course of business or for the necessities of life, and requiring each party to notify the other party of and proposed extraordinary expenditures and to account to the court for all extraordinary expenditures made after the injunction is in effect;**

2. Enjoined from molesting or disturbing the peace of the other party;
3. Restrained from removing the minor child or children of the parties, if any, from the State without the consent of the other party or an Order of the Court; and
4. Restrained without at least fourteen days advance notification and the written consent of the other party or an Order of the Court, from canceling, modifying, terminating, or allowing to lapse for nonpayment of premiums, any policy of health insurance, homeowner's or renter's insurance, or automobile insurance that provides coverage to either of the parties or the minor children or any policy of life insurance that names either of the parties or the minor children as a beneficiary.

DATE: 9/10/03

Signature of the [Deputy] Clerk of Court



Signature of the Attorney for the Petitioner (if any)

Type or print name below
Katherine Grier, # 30948

DISTRICT COURT, ADAMS COUNTY, COLORADO Court Address: Adams County Justice Center 1100 Judicial Center Drive Brighton, CO 80601 Phone Number: (303) 659-1161	
<u>Victoria Lawler</u> Petitioner <u>Charles H. Clements</u> Respondent / Co-Petitioner	COURT USE ONLY <hr/> Case Number: _____ 03DR1773
DOMESTIC RELATIONS CASE MANAGEMENT ORDER-EFFECTIVE JULY 1, 2002	

COURT FACILITATED PROCEDURE FOR DOMESTIC RELATIONS CASES

1. Your case will proceed under the court-facilitated domestic relations procedure, which is designed to encourage the timely, just, and cost efficient resolution of Family Court cases.
2. Your case has been assigned to a Magistrate. In the event that a trial before a Judge becomes necessary to resolve this matter, your case will be transferred to a Judge's Division at which time this Order may be supplemented or modified by the Judge's pre-trial case management orders.

MANDATORY INITIAL CONFERENCE

3. **An initial conference shall take place within 45 days of filing.** The party or counsel filing a petition shall schedule an initial status conference within ten (10) days of filing. This initial status conference shall be scheduled by calling the Clerk of Division B1 between 9:00 a.m. and 12:00 noon, on Monday through Friday at (303) 654-3244. Once the conference is set, the filing party shall confirm this date by filing a Notice of Hearing with the Court, and mailing the Notice to opposing counsel and self represented parties.
4. **The only exceptions from the mandatory initial conference are:**
 - **Parties agree on all aspects of their case, and file their written agreements before the conference as described in Attachment I.**
 - **Parties agree on all aspects of their case, have no children and file an affidavit for decree without appearance as described in Attachment VI.**
5. Parties will be permitted to opt out of this court-facilitated procedure only if they comply with the provisions of paragraph 26 of this Order.
6. Parties appearing at initial status conferences should be prepared to stipulate to temporary orders, or to proceed immediately to a forthwith hearing on temporary orders, if such immediate temporary orders are appropriate to the needs of their case.

7. **Petitioner shall provide a copy of this order (including attachments), the Notice of Hearing, and all other documents filed with the court to all counsel and self-represented parties. A certificate showing service of this order and all other documents on the other party shall be filed with the court within ten (10) days of service of the petition.**
8. Petitions for dissolution of marriage or an allocation of parental responsibility must be personally served in accordance with Rule 4 of the Colorado Rules of Civil Procedure. Other documents, such as this order, may be served with the petition, or by U.S mail once the other party has been personally served. In each case, both parties and attorneys, if any, must attend the initial conference to the extent that they have had notice of its time and date.
9. Parties shall be punctual and arrive shortly before the conference time. Initial conferences are restricted to 30 minutes, and parties are encouraged to use their time efficiently by discussing their case with each other before their conferences begin.

GENERAL PROCEDURES FOR ALL CASES

10. The parties are Ordered to comply with the provisions of Rule 26.2(a)(1), C.R.C.P. with respect to mandatory disclosures. For the convenience of unrepresented parties, a copy of this rule is attached to this Order (Attachment II). These disclosures shall be made as soon as is practical, and shall be made within the 20 day period set by the Rule.
11. Each party shall file a copy of their financial affidavit with the court at the initial conference or as soon as possible thereafter.
12. Any need for Temporary Orders should be raised at the initial conference. Temporary orders stipulations can be reduced to writing, entered on the record and approved as orders of the court at the initial status conference. Contested cases may be heard forthwith or set for a subsequent hearing. Please note, if you are filing for Dissolution of Marriage and an agreement as to temporary orders has been reached and there are no disputed issues to be resolved at permanent orders, it is possible to proceed without a mandatory status conference (Attachment I). Where temporary maintenance is an issue and the combined family income is \$75,000 or less, parties should consider the formula provisions of Colorado Revised Statute 14-10-114(2).
13. All parties with minor children must attend a parenting class pursuant to paragraphs 19-24 of this order.
14. Discovery shall be conducted informally and there shall be no formal discovery beyond the initial disclosures required by paragraph 8 of this order, unless authorized by the Court. Requests for formal discovery shall be made at the initial status conference.
15. The parties should be prepared to discuss the need for experts on the date of the initial conference. This includes discussion of the possibility of mutually acceptable appraisers, evaluators, special advocates or other experts. There shall be only one expert per

contested issue. Such expert shall be selected by the parties or by the court if necessary, and appointed by C.R.C.P. Rule 53. The need for additional experts may be raised with the court at the initial conference, and Rule 26.2(a)(2), C.R.C.P. disclosures shall be made consistent with the provisions of that rule.

16. The assigned judicial officer may direct specific hearings on disputed questions of fact or set this matter for a hearing before a Judge. The court shall determine the scope of any hearing on contested matters.
17. **Neither counsel nor parties shall file any paper, documents, motions or other pleadings except as authorized by the court.** Attached to this order is an information sheet that describes how you may contact the Court in the interim between scheduled conferences, so that you may seek authorization to file additional documents (Attachment III). This injunction against unauthorized filings does not apply to the petition, response, motions for domestic violence restraining orders, motions for service by publication, motions for change of venue, motions contesting the jurisdiction of the court over the parties or subject matter, or to entries, withdrawals and substitutions of counsel.

DOMESTIC VIOLENCE

18. If you are or become subject to a restraining order that prevents you from meeting with any other party to your case, please let the Division B1 clerk know this before your scheduled conference. An Advisement of Available Domestic Violence Services is attached to this order for the information of the parties in dissolution cases and others where this is an issue (Attachment IV).

PARENTING CLASS

19. All parties who are seeking an allocation of parental responsibility or parenting time must attend and complete a qualifying parenting education class. The petitioner and co-petitioner shall file proof of the completion of the class within 60 days of filing. The responding party shall file proof of completion within 60 days from service of the pleadings. Failure to comply with this order may be considered by the court in determining the allocation of parental responsibilities and parenting time, and may result in a citation for contempt of court.
20. If there are any temporary or permanent restraining orders to prevent domestic abuse or any criminal restraining orders for emergency protection that are currently in effect, or which have been issued against either party within the past year, all parties to the case shall attend "In the Best Interests of the Children," which is provided by Dispute Resolution Professionals, Inc., 2801 Youngfield Street, Applewood Tech Center, Suite 360, Golden CO 80401. For more information call 303-273-0459 or see www.disputepro.com/parenting/
21. In all other cases, all parties shall attend Children Cope With Domestic Change (formerly Children Cope With Divorce). You should attend this class if you are filing a petition for divorce, or a petition for an allocation of parental responsibility, AND domestic abuse is

not an issue in your case. This class is provided by Parenting After Divorce Colorado, P.O. Box 24265, Denver CO 80224-0265. For more information call 303-584-9815 or see the attached information sheet.


22. The parties shall pay the cost of the seminars, except that providers of the parenting education class shall waive the fee for parties who show proof that they have been granted an Order by the court that they may proceed without costs.
23. No other classes may be substituted for these classes except by order of the court. The court will grant reasonable requests made at the initial status conference where parties wish to take an alternative class, such as one offered in their native language or offered at a location close to their residence and outside of the Denver metro area.
24. All parties with minor children must attend a parenting class pursuant to paragraph 19, even if you resolve the case by affidavit for decree without appearance.

GENERAL INFORMATION AND HELP

25. If you choose to represent yourself, you are required to follow the same procedures as parties represented by attorneys. You should obtain from the Court Clerk's office the packet of forms and instructions for self-represented parties. For parties seeking a divorce or legal separation, the Court recommends that you attend the "Completing Your Own Divorce Paperwork" clinic. A schedule for these classes together with other self help information is attached (Attachment V).
26. Parties may opt out of this "court-facilitated procedure for domestic relations cases" only for good cause shown. A request to opt out may be made at or after the first conference, and shall be made in the presence of the parties. Counsel or unrepresented parties must establish that the case or party would not benefit from this program.
27. If you require forthwith access to the court on a matter upon which a decision cannot be delayed AND you have been unable to resolve the matter with the other party, then you may call Division B1 and ask that your call be forwarded to the court facilitator. If the facilitator believes that you need a hearing with a judicial officer, the facilitator will alert the court to this need. Attorneys and pro se parties alike should be prepared to produce a written motion explaining their need to the court.

It is so ordered.

Dated: July 1, 2002



Harlan R. Bockman
Chief Judge

ADAMS COUNTY DISTRICT COURT

Adams County Justice Center
1100 Judicial Center Drive
Brighton, CO 80601
(303) 659-1161

ATTACHMENT I

**COURT FACILITATED DISSOLUTION OF MARRIAGE
REQUIREMENTS TO PROCEED WITHOUT MANDATORY STATUS
CONFERENCE**

If you are filing for Dissolution of Marriage and an agreement as to temporary orders has been reached and there are no disputed issues to be resolved at permanent orders, it is possible to proceed without a mandatory status conference.

If the above conditions are met and an Affidavit of Compliance (attached) and all of the required papers are filed with the court within 30 days of the date that the case is filed, the parties will not have to appear at the Initial Status. A notice to set for permanent orders must be filed with the Affidavit.

**All of the forms must be legible, all of the required information
must be provided and all signatures must be notarized.**

ADAMS COUNTY DISTRICT COURT

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ATTACHMENT II

Rule 26.2. General Provisions Governing Discovery; Duty of Disclosure (Domestic Relations)

(a) Required Disclosures;

(1) Disclosures. Except to the extent otherwise directed by the court, a party shall, without awaiting a discovery request, provide to other parties:

(A) A complete financial affidavit signed by the party in substantial compliance with a form approved by the Supreme Court.

(B) A complete copy of personal federal and state income tax returns for the three years preceding the filing of the petition or post-decree motion, including all schedules, W-2 forms, 1099 forms, and K-1 forms for those years. If any such returns are not completed at the time of disclosure, all W-2 forms, 1099 forms, and K-1 forms for those years shall be provided.

(C) Pay stubs or statements of earnings from all employers for the three months preceding the filing of the petition or post-decree motion, and a year-end paystub for the preceding year. If self-employed, provide a sworn statement by the party of gross income, business expenses, and net income (before personal taxes) for the three months preceding the filing of the petition.

(D) A complete copy of federal income tax returns for the three years preceding the filing of the petition or post-decree motion, including all schedules, for any corporation, business, or partnership in which a party has had any interest entitling that party to a copy of such returns.

(E) Any available information relating to pension, profit sharing, deferred compensation, and retirement plans.

The disclosures shall be made by both parties within 20 days after the response is due. A party shall make the required disclosures based on the information then known and reasonably available to the party and is not excused from making such disclosures because the party has not completed investigation of the case or because the party challenges the sufficiency of another party's disclosures or because another party has not made the required disclosures.

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ATTACHMENT III

Court Facilitated Procedure for Domestic Relations Cases: Access to the Courts

Your case is being handled under the Court Facilitated Procedure for Domestic Relations Cases, which does not permit you to file any unauthorized papers, documents or motions with the court (see paragraph 12 of the Case Management Order). The basis of this procedure is that you will always have a future conference date scheduled with the court, and that this will provide you with access to a judicial officer or court facilitator far sooner than the court would be able to hear a motion under traditional court procedures. Nonetheless, the court does recognize that you may need some access to the court at times in between scheduled conferences. This document explains how to contact the court if and when you need to, and it applies to all cases, regardless of which officer of the court has handled your conference meetings.

For immediate emergency assistance, in circumstances of domestic abuse where you feel that you or your children are in danger, you should first seek the assistance of law enforcement agencies, and not contact the court directly. In the event that a criminal case is filed, law enforcement agencies will assist you with any additional services that the judicial department can provide.

For other emergency assistance where you want a restraining order against the other party to prevent domestic abuse, you may file a motion for a restraining order with the court. Such motions are heard by a Magistrate in Division D3 of the court, and emergency orders from this division may include orders for the temporary care and control of minor children, and for the temporary use of the home. These orders are issued under C.R.S. 14-4-103.

For non-emergency assistance, you **must** first try to resolve any problems with the other party before you contact the court. If you cannot resolve the issue and have made a good faith effort to do so, any party or their counsel may contact Division B/B1 of the court for the following kinds of assistance.

1. If your next conference or hearing is more than 30 days in the future, and you believe that the matter could be resolved by setting a face-to-face conference with the other party in the presence of a judicial officer or court facilitator, you may ask the Division B/B1 clerks to assist you in setting such a conference. The court facilitator will reserve time each week to meet with parties for such conferences. If you do not believe this would be helpful, or the division clerks cannot schedule a conference for you, then you may ask to speak with the court facilitator who will try to assist you.

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2. If you have been unable to resolve the matter with the other party, and your next conference is scheduled within the next 30 days, Division B/B1 staff will forward your call to the court facilitator directly. If the facilitator believes that you need an on the record hearing with a judicial officer, the facilitator will alert the court to this need. The court facilitator may also make informal attempts to resolve issues, especially in discovery disputes. In such disputes, the facilitator may contact both parties or their attorneys in efforts to assist the parties to complete work they have been ordered to complete prior to their next scheduled conference.

For parties who have been scheduled to meet in conference with the judge or magistrate, the facilitator's decision on whether and how to assist you is final, and the matter can only be reviewed at your next conference with a judicial officer. For parties who have been scheduled to meet in conference with the court facilitator, any disputes that cannot be resolved at the next scheduled conference shall be brought to the attention of a judicial officer at the request of either party, or upon the decision of the facilitator to refer the matter.

General Information on the Role of the Court Facilitator

The Parties and their counsel should understand that the court facilitator is not a judicial officer. He cannot issue orders to the parties, and therefore cannot be a decision maker in resolving any disputes. Moreover, the facilitator does not assist individual parties or give legal advice. Likewise, the court facilitator cannot undo orders of the court, and so cannot vacate contempt or other hearings.

What the facilitator can and will do is bring disputes to the court's attention where a brief hearing or judicial decision might help the parties resolve issues and establish the framework for a subsequent negotiated settlement by the parties. Parties and their counsel can make best use of the facilitator's services by explaining why a hearing or meeting with a judicial officer would help their case. Where appropriate parties should be able to explain why it would assist the court for them to file a written motion in support of their argument.

The court does contemplate making legal decisions during the course of cases subject to these court facilitated procedures. For example, parties may request the court to rule on whether they are in fact married, such as when common law marriage is in doubt. These are matters that can be brought to the court's attention at the regularly scheduled meetings, or through the court facilitator.

ADAMS COUNTY DISTRICT COURT

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ATTACHMENT IV

ADVISEMENT OF AVAILABLE DOMESTIC VIOLENCE SERVICES

Domestic violence is a pervasive problem in society. A significant portion of domestic violence in occurs in or near the home. Research shows that children in a home where domestic violence occurs are at greater risk of emotional, psychological, and physical harm.

Where there is credible evidence of spouse abuse in a marriage, the court must take this into account when determining parenting time and allocating decision-making responsibility for children.

If your case involves domestic violence, you are strongly encouraged to obtain assessment, counseling, or other available services for your family. If you are on a limited income, or cannot afford such services, then financial assistance may be available to cover some or all of the costs. If your children participate in assessments or counseling related to domestic violence, the court will apportion the costs of such services between the parties as it deems appropriate.

Call the following for domestic violence services and potential financial resources available in the Adams County area:

On-site Services at the Adams County Justice Center

Project Safeguard, [Brighton], 303-673-7761

Other Service Providers

A Woman's Place: [Fort Lupton] 970-356-4226

Adams County Department of Social Services: [adult protective services] 303-227-2353.

Alternatives to Family Violence: [shelter – Commerce City] 303-289-4441

AMEND: [Brighton / Broomfield: victim services, counseling for perpetrators]: 303-453-1000

Anti-Violence Program of Equality Colorado: [Lesbian, Gay, Bi., Trans.] 303-8525094

Asian Pacific Development Center: [Metro, Asian community] 303-355-0710

Colorado Coalition Against Domestic Violence: [outreach, referrals] 303-831-9632

Crossroads Shelter [shelter - men] 303-298-1028

Denver Indian Health and Family Services: [Native American] 303-781-4050

Denver Safehouse [crisis line for women, including lesbians] 303-318-9989

Domestic Violence Initiative for Women with Disabilities, 303-839-5510

Gateway Battered Women's Shelter: [Aurora] 303-739-7826

Services de La Raza, Inc [Spanish] 303-458-5851; 303-477-3817

Women's Crisis Center [Metro, 24 hour assistance] 303-688-8484

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ATTACHMENT V

NOTICE CONCERNING SELF HELP RESOURCES

1. A free workshop entitled "Help With Procedures And Completing Your Own Divorce Paperwork" is held on the third Wednesday of every other month in the first floor library at the courthouse. All workshops run from noon until 2:00 p.m., and no reservations are required. This workshop series is sponsored by the 17th Judicial District and is presented by Chris Hardaway Esq.

2002 Dates

July 17th September 19th November 13th

2. Packets of forms for use in domestic relations cases are available for purchase from the clerk of the court. These include some information about court procedures.
3. The Seventeenth Judicial District has a web site from which various information and forms can be downloaded. See <http://www.17thjudicialdistrict.com/>. Parties are especially recommended to visit the "self help center." There is also a link to downloadable forms on the state courts' home page <http://www.courts.state.co.us/>
4. If you wish to be represented by an attorney and cannot afford one, you should contact Colorado Legal Services at 303-837-1313. The Court and its staff cannot provide legal advice or referrals to private attorneys. If you are seeking an attorney willing to take a case at a reduced rate you may wish to call the "Match Program" at 303-824-5344. Other lawyers may be contacted through the Metropolitan Lawyers Referral Service at 303-871-6140.
5. If you are simply seeking some legal advice, rather than complete representation in your case, please note that Colorado lawyers are now permitted to offer advice on single legal issues in what are called "unbundled legal services." Free information leaflets about this and other matters are available in the court's law library located on the first floor of the building.

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ATTACHMENT VI

**COURT FACILITATED DISSOLUTION OF MARRIAGE
REQUIREMENTS TO PROCEED BY AFFIDAVIT FOR DECREE WITHOUT
APPEARANCE**

If you have minor children and both of the parties are represented by an attorney or if you are filing for Dissolution of Marriage without children, AND you are in agreement on all issues, it is strongly recommended that you file for Dissolution of Marriage by Affidavit.

If an Affidavit for Decree without Appearance of Parties and all of the required papers are filed within 30 days of the date that the case is filed, the parties will not have to set an Initial Status Conference or any other hearings as long as the paperwork is complete.

If all of the required papers have not been filed or if they are not complete, the Case Facilitator will set the case for an Initial Status Conference or Decree and Permanent Orders hearing and you will be notified to appear.

If all of the required papers have been filed and are complete, the case will be set for further review by a judge or magistrate on the 91st day after the date the case is filed by Co-Petitioners or the date that a Respondent is served or signs a Waiver of Service, if that date is after the date the case is filed. A judge or magistrate will review the case on the 91st day, or within two weeks of that date, and if the Separation Agreement and other pleadings are approved, a decree will be entered at that time.

**All of the forms must be legible, all of the required information
must be provided and all signatures must be notarized.**

DISTRICT COURT, ADAMS COUNTY, COLORADO Court Address: Adams County Justice Center 1100 Judicial Center Drive Brighton, CO 80601 Phone Number: (303) 659-1161	COURT USE ONLY Case Number: _____ 03 DR 1773
<u>Victoria Lawler</u> Petitioner	
<u>Charles Clements</u> Respondent / Co-Petitioner	
CERTIFICATE OF MAILING OR DELIVERY	

I certify that in the above-captioned case, a copy of the **DOMESTIC RELATIONS CASE MANAGEMENT ORDER – EFFECTIVE JULY 1, 2002**, together with the following attachments:

- I-A Requirements to Proceed Without Mandatory Status Conference.
- II Rule 26.2. General Provisions Governing Discovery; Duty of Disclosure
- III Notice Concerning Court Facilitated Procedure for Domestic Relations Cases:
Access to the Courts
- IV Advisement of Available Domestic Violence Services
- V Notice Concerning Self Help Resources.
- VI Requirements to Proceed by Affidavit for Decree without Appearance of Parties

was

- Hand delivered to Petitioner
- Hand delivered to Petitioner and Co-Petitioner
- Hand delivered to Attorney for Petitioner
- Hand delivered to: _____
- Mailed to Petitioner at the address listed on the Petition
- Mailed to Attorney for Petitioner as the address listed on the Petition
- Mailed to (include address): _____

 Deputy Clerk or party completing mailing or delivery

Date: _____

District Court, ADAMS COUNTY, STATE OF COLORADO

Court Address: 1100 Judicial Center Drive
Brighton, CO 80601

In Re the Marriage of:
Victoria Lawler, Petitioner

&
Charles Clements, Respondent

COURT USE ONLY

Case Number: **03DR1773**

Division: B

NOTICE OF HEARING (INITIAL STATUS CONFERENCE)

Please take notice that an initial conference/hearing has been scheduled as follows:

Date: 10-22-03

Time: 8:30 AM

Place: Division B/B1, District Court, Adams County
1100 Judicial Center Drive,
Brighton, CO 80601

You should appear at the Division B/B1 service window on the 5th floor of the courthouse at least 5 minutes before the scheduled conference time. A Clerk will then direct you to the room or courtroom where your conference will take place. **All parties must bring completed financial affidavits to this conference, together with the other documents required under paragraph 6 of the case management order.**

By signing below, I certify that I mailed/hand delivered a true and correct copy of this Notice of Hearing to Division B/B1 of the District Court for Adams County, and to the person at the address set forth below:

Charles Clements
(name of other party)

Served with
Petition

(street address)

(street address)

(city, state, zip code)

Katherine
(Counsel for) **Petitioner or Respondent/Co-Petitioner**

9/10/03
Date