

PREPARING FOR A COURT HEARING



Q Can I go to court without an attorney?

A Yes. If you go to court without an attorney you are representing yourself and considered "your own attorney."

You are held to the same standards and rules as an attorney.

Q Will the Judge/Magistrate help me?

A No, the Judge/Magistrate is neutral and impartial.

Q How do I prepare for my court hearing?

- ☐ Know what you are asking the Judge/Magistrate to decide.
- ☐ Be ready to give clear and specific arguments for your position.
- ☐ Know your case number.
- ☐ Ensure you have filed all required forms. Check with your court Self Help Center for a list.
- ☐ Bring your witnesses with you to your court hearing (if you need to subpoena, seek assistance at the Self-Help Center).
- ☐ Organize your evidence (called exhibits) and bring copies for everyone. Ex. photos.
- ☐ Bring a notepad and pen to take notes.
- ☐ Arrive early and do not bring children with you.

THE FAMILY SUPPORT REGISTRY (FSR)



All child and spousal support (maintenance) payments can be processed through the FSR, including cases managed by Child Support Services, as well as orders not being enforced by Child Support Services.

FSR services include:

- An accurate legal record of all payments.
- Access to payment information 24 hours a day in English and Spanish.
- Access to Customer Service: M-F, 8:00am-5:00pm.

Contact the FSR:

- Email: cdhs_fsrcustomerservice@state.co.us
- Call: 303-299-9123 (local) or 1-800-374-6558 (national)
- Visit the FSR website to login or create an account: childsupport.state.co.us/family-support-registry

RESOURCES



For court help or to locate legal assistance, visit [Colorado Judicial Branch Self Help Resources](https://coloradojudicial.gov/self-help-resources):



www.coloradojudicial.gov/self-help-resources

For information on FREE Child Support Services, visit:

childsupport.state.co.us



SAFETY CONCERNS?

Please contact the **National Domestic Violence Hotline** for assistance.

Call **1-800-799-7233** or visit thehotline.org

Highly trained advocates are available 24/7/365 to talk confidentially with anyone experiencing domestic violence, seeking resources or information, or questioning unhealthy aspects of their relationship.

ESTABLISHING

A Child Support Order



COLORADO
Child Support Services
Department of Human Services

WHAT IS CHILD SUPPORT?



Both parents have a legal responsibility to support their children.

The Court will order a parent to pay an ongoing monthly amount of child support to the other parent or caretaker to contribute to the child's basic living expenses, such as food, clothing, and shelter. The Court may also order the parent to help with the child's medical and dental needs.

CHILD SUPPORT GUIDELINES & CALCULATIONS



The **Child Support Guidelines** are designed to make sure that a fair share of each parent's income and resources are given to their child.

The guidelines use a formula based on what the parents would have spent on the child had they not separated.

The following may be factored in:

- Gross income (before taxes) of both parents.
- The child's income (if any). *Does not include child support.*
- Number of overnights the child spends with each parent.
- Expenses, including health insurance and child care.
- Other child support orders, financial support given for children of another relationship, and any spousal support (maintenance or alimony) that may be paid or received.

The **Family Law Software** is a free online program you can use to **estimate** the amount of child support. Exact child support order amounts will be calculated by the court or Child Support Services.

To estimate your child support, visit:

www.familylawsoftware.com/download_client_edition_co/



HOW TO ESTABLISH A CHILD SUPPORT ORDER



Through the Court:

Married/common-law married?

- You may file for Divorce/Legal Separation/Invalidity and Child Support will be ordered in that case. See instructions **JDF 1010** for step-by-step guidance.
- For more information on common-law marriage: www.coloradolegalservices.org/node/347/wh-at-common-law-marriage-colorado

Not Married?

- You may file a Custody case and Child Support will be ordered in that case. See instructions **JDF 1413i** for step-by-step guidance.
- You may file for Parentage/Paternity and Child Support may be ordered in that case. See instructions **JDF 1500** for step-by-step guidance.

Through Child Support Services (CSS):

Apply for FREE services online or in person at your local county child support office, regardless of immigration status:

childsupport.state.co.us/apply-services

CSS cannot provide legal advice or assist with filing for divorce or custody.

CUSTODY: PARENTING TIME & DECISION MAKING

You may ask for **Allocation of Parental Responsibilities (Custody) Orders** in your Child Support case.*

1. Fill out and file: **Motion for Parenting Time JDF 1531**
2. A copy of the motion must be mailed, handed, or emailed (if party has consented in writing) to all parties in the case.
3. The Judge will review your motion and enter an order. Make sure you read all orders.
4. The Court may set your case for a hearing.

**Not applicable if you already have a Domestic Relations (DR) case regarding Divorce or Custody.*

The Court may have other requirements, such as: mediation; co-parenting classes; a status conference with a Family Court Facilitator; and/or additional forms to be filed.

DURATION OF CHILD SUPPORT ORDERS



In Colorado, emancipation occurs and child support ends automatically when the youngest child on the order reaches **19**, in most cases.

Reasons why child support may continue past 19:

- If the child is **still in high school or an equivalent program**, support continues until the end of the month after graduation, or until they turn 21
- If both parties agree in writing
- The child is mentally or physically disabled and continued support is ordered

Other ways a child emancipates:

They enter active duty military, get married, and/or are self-supporting.

If there are multiple children on the order and one child emancipates, file a **Motion to Modify Child Support JDF 1403**. See instructions **JDF 1403i**.