

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.

RESOURCES



For **court help** or to locate **legal assistance**, visit **Colorado Judicial Branch 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.

ENFORCING

A Child Support Order



COLORADO
Child Support Services
Department of Human Services

CHILD SUPPORT & ENFORCEMENT



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 to contribute to the child's basic living expenses.

Child support is calculated using a standard formula that considers both parents' gross income, parenting time with the children, and certain other expenses.

Can I enforce my Child Support Order?

Yes, if child support is not paid, action may be taken to enforce the Court's order.

Custody and child support may be ordered together, but support should not be withheld or paid based on your ability to spend time with the child.

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

OPTIONS TO ENFORCE CHILD SUPPORT ORDERS



Through the Court:

See Instructions **JDF 1800** for guidance on:

- **Verified Entry of Support Judgement (JDF 1813):** A document filed to formalize an amount of unpaid child support that are due for a specific time period. A judgment is required to place a lien on real property or other assets.
- **Contempt of Court (JDF 1816):** A court finding of a violation/non-compliance of a court order; could result in fines and/or jail.
- **Income Withholding (JDF 1801):** An order sent to an employer or other payor of funds that directs them to withhold money from the paying parent's wages and send it to the FSR to pay their support.

Through Child Support Services (CSS):

Apply for free child support services:

childsupport.state.co.us/apply-services



When a paying parent does not pay the full amount of a child support order or does not pay at all, CSS will work to enforce the order.

CSS has the ability to take administrative actions, taken without formal court proceedings, such as:

- Driver's/recreational license suspensions
- Negative credit reporting
- Tax and payment intercepts, and more



Driver's License Suspension



Negative Credit Report



Lose Your Tax Refund



Recreational License Suspension



Bank Account Seizure

DURATION OF CHILD SUPPORT ORDERS

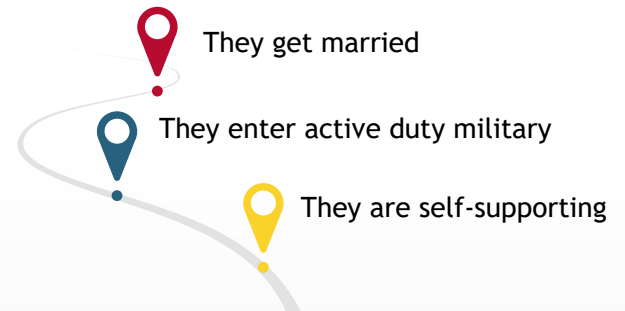


In Colorado, emancipation occurs and child support ends automatically when the youngest child on the order reaches **19**, in most cases.

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:



Upon emancipation, child support automatically terminates, with no need to file a motion. However, arrears or past due child support must still be paid.

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**.