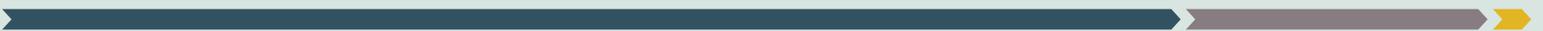




Glossary of Terms

hello divorce.



Glossary of Terms

Alternative Dispute Resolution (ADR) Methods for resolving problems without going to court.

Allocation of parental responsibilities: Commonly known as “custody.” In divorce, legal separation, or custody actions regarding children, the Court will allocate parental rights and responsibilities for the care of the children.

Appeal: Applying to a higher court for a reversal of the decision of a lower court.

Appearance: When you physically appear or show up in Court.

Arrears: A debt that is not paid on the due date adds up and accumulates as “arrears.”

Authenticated Copy: Means certified, when used in reference to copies of official documents, and only certification by the official having custody is required.

C.A.R.: Abbreviation for “Colorado Appellate Rules.”

C.R.S: Abbreviation for “Colorado Revised Statutes.”

Colorado Rules of Civil Procedure: The official rules of policies and practices in Colorado courts.

Case management order: An order by the court that outlines the steps the parties must follow for their case to continue.

Certificate of Service: An area on a court form, usually at the end of the form, where you tell the court how and when you provided a copy of the court form to the other person in the case, before or directly after you gave the form to the court.

Child Custody (CA - physical and legal): The assignment of rights and responsibilities to parents for the care and maintenance of their children. Legal custody refers to being responsible for the child’s health, education, and overall well-being. Physical custody refers entirely to whom the child resides with.

Child Custody (CO): In family law cases, it is also known as allocation of parental responsibilities, and refers to decision-making and parenting time.

Child and Family Investigator (CFI): A court-appointed expert that investigates and writes a report to the Judge as to the children’s best interests in a controversial divorce or custody case.

Co-petitioner: A person who jointly completes, signs, and files a written Petition, or a written application to the Court with the Petitioner, asking for specific action to be taken.

Decree: The final order of the Court that disposes of or ends the marriage or legal separation proceedings.

Dependency and neglect: A type of court case involving children where the children either aren’t being cared for properly or crimes are being committed against the children by the parents or persons caring for the children.

Dismiss without prejudice: When the Court dismisses a case or issue within a case, but not permanently; any party may bring the dismissed case or issues back to Court.

Disqualification: When a Judge or Commissioner is deemed to be unfit to hear a matter and is removed from the matter.

Dissolution: Often used in divorce cases. Ending a marriage or civil union.

Docket: A record of each case and each action and hearing conducted within the case.

Domestic Relations Law: A set of sections of the Colorado Codes concerning family law.

Family Law Software: A program used to calculate exact support and bonus amounts payable by one party to the other.

Earnings assignment: A way for employees to dedicate a part of their paychecks toward child support or debt.

Earnings Withholding Order: An order made by the Court that instructs an employer to withhold a portion of an employee’s pay, as a way to satisfy payments they owe; those withheld payments are then sent to the payee to whom they are due.

E file: The Colorado Courts E-Filing system allows authorized users to file and serve documents electronically in the Colorado Courts.

Endorse: A process of signing your legal name on a document to authorize it.

Endorsed filed copies: Official stamped copies of files entered into a Court case, indicating the exact date that they were presented to the Court clerk.

Evidence: Proof that is offered in a trial as records, documents, or through witnesses.

Exhibits: A document, set of facts or things offered as proof of an allegation that have been officially identified and confirmed as evidence by the Court.

Expert witness: A witness with a specialized knowledge of a subject who is allowed to discuss an event in court even though he or she was not present.

Family Law: A compilation of statutes that encompasses any dispute or law surrounding family; it is usually affiliated with marriage, divorce, child custody, adoption, etc.

Family Law Facilitator (CA): An experienced lawyer in the field of family law who works for the Superior Court of California and provides assistance to those who do not have a lawyer and need assistance with their Court paperwork, for free.

Family Law Facilitator (CO): An individual who assists with domestic relations cases and conducts Initial Status Conferences. The Family Court Facilitator can help you understand what you need to do during your case, answer questions, and give you instructions about the next steps in your case. The Family Court Facilitator cannot give legal advice.

Family Support Registry: The central payment processing center for the State of Colorado for child support and maintenance (spousal/partner support)

Fee waiver: A legal document excusing a party from paying the Court's filing fees and other Court fees, based on that person's household income.

File: A collection of documents and records regarding a specific case.

File stamped: A stamp given by the Court clerk indicating the date on which the party submitted a document to the Court clerk.

FLARPL: Family Law Attorney's Real Property Lien; a lien, recorded by a family law attorney, encumbering a portion of a party's interest in community real property for the amount owed by that party to their attorney.

Grandparent Visitation: After careful observation of the relationship between the child or children and grandparent/s, the Court may allow official visitation between the child or children and their grandparent/s.

Grant Deed: An official document that confirms that a real property is titled in your name and is your property.

Calculations child support (CO): A calculation used by the courts of Colorado, calculating the amount of money one party must pay to the other for support of the child or children; the parties' gross incomes and deductions are utilized to determine the amount of support.

Income and Expense Declaration: A required form that a party files with the court, showing their income and expenses.

Income Withholding: A voluntary or involuntary service where a party's employer withholds a portion of the party's income for purposes of paying support and/or debt.

Initial Status Conference (CO): A date for you to come to court to meet with a Family Court Facilitator who will help you understand what you need to do during your case, answer your questions, and give you instructions about the next steps in your case. However, you will not be given any legal advice.

Injunction: A court order directing a person to keep oneself from doing something or ordering the person to do something

Interrogatories: A set of questions written by one party and sent to the opposing party for them to answer under a lawful pledge.

Interspousal Transfer Deed: The official transfer of property from one spouse to another.

Joinder: An action wherein a third party is formally added to a case; usually done with retirement plans.

Judgment: A legal document signed and entered by the Court, containing orders concerning all issues within the parties' case (support, property, attorney fees, etc.).

Judgment for Dissolution of Marriage: A Judgment that officially terminates your marriage.

Judgment Set Aside: The process of invalidating a Judgment that has been made by the Court.

Maintenance: Maintenance is the new Colorado term for “alimony” or “spousal/partner support”. Maintenance is financial support paid to a former spouse or partner.

Motion: A written or oral request a party makes to the Court for a specified ruling or order.

Notary Public: A person authorized by the state in which the person resides to certify documents . The signature and seal or stamp of a notary public is necessary to attest to the oath of truth of a person making an affidavit and to attest that a person has acknowledged that he/she executed a deed, power of attorney or other document, and is required for recording in public records

Parental responsibility: This term includes both parenting time and decision-making responsibilities regarding the children. (The term “Custody” is no longer used.)

Parental Rights: In the State of Colorado the freedom to decide who cares for children and how. Also includes the freedom to decide how to spend time with a son or daughter, including activities and time, in order to raise a child. Decisions about school, religion, and medical treatment are included.

Parenting time: Also known as “Visitation.” The right of a parent to spend time with their children by order of the Court.

Separation Agreement: Written arrangements concerning custody or parental obligation, child support, spousal maintenance (alimony), and property division made by a married couple who are usually about to obtain a divorce or legal separation.

Serve: To give court paperwork that starts a court case or is part of a court case to the person that is being sued or the other person in the case. This is done by a person who isn't involved in the case or a sheriff or private process server. The person starting the case cannot deliver the paperwork.

Shared physical care (CO): If each parent has the child for more than 92 overnights each year and both contribute to the support of the child in addition to the payment of child support, they are deemed to have shared physical care for purposes of calculating child support.

Sole decision-making responsibility: An arrangement that permits one parent to make choices regarding his or her child's or children's education, health and overall happiness.

Split physical care: where each party has physical care of at least one of his or her children by means of that child or children residing with the parent the majority of the time.

Sworn Financial Statement: A written document that contains financial information to include monthly income, expenses, debts, and value of assets.

Testimony: Statements made by a witness, under oath, either spoken in court or in a sworn statement or affidavit.

Waiver: The intentional and voluntary relinquishment of a legal right.

Waiver of Service: A voluntary acceptance of service by the Respondent giving up his or her right to proof of service or service of future court documents or notices of hearings from the Petitioner.