

JDF 1320	Order Appointing Legal Representative of the Child	
A. Court <input type="checkbox"/> District <input type="checkbox"/> County <input type="checkbox"/> Probate <input type="checkbox"/> Juvenile Colorado County: _____ Mailing Address: _____	<i>This box is for court use only.</i>	
B. Parties to the Case Petitioner: _____ & Respondent: _____ <small>(or Co-petitioner)</small>	C. Case Details Number: _____ Division: _____ Courtroom: _____	

1. Introduction

This matter is before the Court on the Court's motion, Petitioner's motion, or Co-Petitioner/Respondent's motion for the Appointment of a Legal Representative of the Child pursuant to C.R.S. § 14-10-116.

2. Legal Representative Appointed

Finding in the best interests of the children, the Court hereby appoints as Legal Representative of the Child (CLR):

Name: _____ Atty. Reg. #: _____

Mailing Address: _____

Phone: _____ Email: _____

The CLR is contracted with the Office of the Child's Representative (OCR) and is required to complete training in accordance with that contract. Additionally, this CLR is not required to complete the required training described in C.R.S. § 14-10-127.5(5). (Appointment in this case may or may not be through OCR)

OR

The CLR has not contracted with the Office of the Child's Representative (OCR). The CLR has provided proof of the training required by C.R.S. § 14-10-127.5(5) and is also eligible for appointment pursuant to Chief Justice Directive 04-05, Section III.

3. Children

Information about the children:

- 1) Full name: _____ Date of Birth: _____
- 2) Full name: _____ Date of Birth: _____
- 3) Full name: _____ Date of Birth: _____
- 4) Full name: _____ Date of Birth: _____

4. Parties

Petitioner’s Information

Name: _____ Date of Birth: _____

Mailing Address: _____

Phone: _____ Email: _____

Attorney Name: *(if any)* _____

Respondent’s Information *(or co-petitioner)*

Name: _____ Date of Birth: _____

Mailing Address: _____

Phone: _____ Email: _____

Attorney Name: *(if any)* _____

5. Protection/Restraining Orders

There is is not a Protection/Restraining Order in place: County of _____,
 State of _____, in case number _____.

The person restrained is: _____. If this box is checked: the parties may meet together with the CLR, if the CLR so directs, without violating this Order.

6. CLR Responsibilities

- 1. The CLR shall comply with the applicable provisions set forth in Chief Justice Directives 04-05 and 04-06 as subsequently amended, and with the requirements of C.R.S. § 14-10-116. The CLR shall not also serve as the Child and Family Investigator pursuant to C.R.S. § 14-10-116.5. You are required within seven days of your appointment, to disclose to each party, attorneys of record, and the court any familial, financial, or social

relationship that the appointed person has or has had with the child, either party, the attorneys of record, or the Judicial Officer. (JDF1338)

2. The Court directs the CLR to represent the best interests of the child(ren) with respect to the following concerns:

- Allocation or modification of parental responsibilities (parenting time and decision-making responsibilities)
- Support of the children
- Child's property
- Drug/alcohol abuse
- Domestic violence
- Special needs of a parent or child
- Other issues:

3. The CLR shall not issue a report, nor shall the CLR be called to testify as to her/his representation.

4. The next event in this case is a _____ scheduled for (date) _____ at (time) _____ in Courtroom _____.

7. Release of Confidential Information

The parties shall sign any releases necessary to allow the CLR to properly conduct their representation; and the CLR may request the Court to issue any other necessary order for release of information.

8. Modification or Termination of Appointment

The Court shall maintain the discretion to modify or terminate this appointment at any time during the proceedings. This appointment shall terminate upon the following unless otherwise ordered by the Court:

- upon entry and the Court’s signature of Permanent Orders in this case.
- when motions have been resolved by the entry of orders in this post-decree issue.
- other: _____

9. Payment of CLR Costs and Fees

The Court hereby finds that the fees of the CLR, plus mileage and costs at the State Rate, are necessary and reasonable. Any objection to these fees and costs shall be made in writing and filed with this Court within 10 days. The CLR’s fees are in the nature of child support, as the role of the CLR is to represent the child’s best interests as to all issues that affect or may affect the best interests of the children.

After considering the financial resources and/or other equitable circumstances of the parties, the Court apportions the payment of the retainer, fees, and costs of the CLR as follows:

No party is indigent.

1. The CLR’s hourly rate is \$_____ and he/she requires \$_____ for the initial retainer.
 - The Petitioner will pay the CLR directly the amount of \$_____ or _____ % to be applied toward the initial retainer on or before *(date)* _____.
 - The Co-Petitioner/Respondent will pay the CLR directly the amount of \$_____ or _____ % to be applied toward the retainer on or before *(date)* _____.
2. Thereafter, the CLR shall bill his/her hourly rate of \$_____ against the initial retainer, and fees and costs in excess shall remain apportioned as set forth above and shall be paid within 30 days of the date billed, unless otherwise ordered by the Court or agreed between the parties.

Both parties are indigent.

Both the Petitioner and Co-Petitioner/Respondent have completed the required JDF 208 form, and are indigent per CJD 04-06, and therefore orders that the fees and costs of the

CLR will be borne by the State pursuant to the procedures and at the hourly rate set forth in CJD 04-06.

One party is indigent.

1. The Court finds (name) _____ is indigent.

The party identified above has completed the required JDF 208 form, and is indigent, and therefore orders that _____% of the fees and costs of the CLR will be borne by the State pursuant to the procedures and at the hourly rate set forth in CJD 04-05 with the remaining amount as determined by the Court to be paid by the non-indigent party to the CLR directly.

2. The non-indigent party will pay as follows:

- At least 50% of the State Rate as set forth by Chief Justice Directive; or
 An hourly rate as otherwise ordered by the Court in the amount of \$_____.
 The non-indigent party is ordered to pay the CLR directly the amount of \$_____ to be applied toward the CLR's initial retainer on or before *(date)* _____. The CLR will bill only the non-indigent's hourly rate against such retainer and the State will be responsible for all costs associated with the indigent party.

Notices

1. The Court maintains the discretion to reallocate the appointment of fees at the Permanent Order or Post-Decree Hearing.
2. The Representative of the Child shall not commence representation until the retainer is satisfied in full. The CLR must apprise the Court within ten days of their inability to proceed with the case because of non-payment.
3. Upon notification to the Court, the Court may hold a hearing which will require the mandatory appearance of the non-paying parties.
4. Failure of either party to comply with this Order may result in sanctions by the Court, up to six months in the County Jail, or a \$1,000.00 fine.

So Ordered

Judge Magistrate _____

_____ Dated