

LEARNING AND COMPETENCY OUTCOMES FOR COLORADO LICENSED LEGAL
PARAPROFESSIONALS (LLPS)*

**Updated by the Colorado Supreme Court's LLP Committee on August 18, 2025;*

Changes Highlighted In Yellow

Preamble: Licensed Legal Paraprofessionals (LLPs) must understand Equity, Diversity, and Inclusion (EDI) issues in the context of communicating with the Court, the client, the opposing party(s), counsel, other LLPs, ADR professionals, experts and third parties. The LLP should be mindful of the diverse nature of families and respect cultural, individual, and role differences, including those based on age, gender, gender identity, race, ethnicity, culture, national origin, religion, sexual orientation, disability, language, education, and socioeconomic status.

The LLP cannot advise clients on the specific exercise of rights and/or responsibilities in areas of the law that fall outside of the approved areas of practice. However, we recognize that clients will look to them as a source of information about all aspects of Family Law.

A. GENERAL LEARNING AND COMPETENCY OUTCOMES

For all the designated practice areas, Colorado Licensed Legal Paraprofessionals must have knowledge and understanding of the following:

(1) Substantive Law:

- a. The LLP must have sufficient knowledge and experience with family law to advise the client regarding the client's rights and/or responsibilities;
- b. The LLP must recognize that a client may have additional rights and/or responsibilities that lie outside the purview of the LLP's practice; and,
- c. The LLP must understand their responsibility to encourage clients in such cases to consult with a licensed attorney.

(2) Legal ethics: The LLP must have sufficient knowledge of the rules and principles of ethical conduct governing the legal profession and the specific rules of practice and principles of professional and ethical conduct governing LLPs.

(3) Rules governing the unauthorized practice of law: The LLP must understand the limitations of their authority to practice law. Specifically, the LLP must understand that there is a distinction between the general practice of law which may only be practiced by licensed attorneys, and the limited practice of law that LLPs are authorized to engage in under their limited license. The LLP must be aware of the rules concerning the unauthorized practice of law. When there is any doubt about the distinction, the LLP must refrain from providing that service, must counsel the client accordingly, and offer to refer the client to one or more licensed attorneys.

(4) Client intake and interviewing. The LLP must have sufficient knowledge of the principles and skills necessary for client intake and interviewing, and direct experience to include:

- a. The type of information that is necessary, where and why it is needed, and where it must be provided in court forms or other **LEGAL** documents;
- b. How to obtain that information from the client, including how to articulate clear, precise, and relevant questions;
- c. The ability to re-formulate questions that have not been answered (or not answered fully);
- d. The ability to analyze and formulate appropriate follow-up questions;
- e. The ability to evaluate the scope of the case to ensure the case is within the licensure of the LLP; and,
- f. The knowledge and skills necessary to analyze and identify what additional documents and other information are necessary to serve the client, and where to obtain it.

(5) Effective and ethical client communication. The LLP must possess the skills to both communicate information to the client and obtain information from the client:

- a. Communication to the client must be clear, relevant, and comprehensible using language the client can understand;
- b. All developments in the case must be conveyed to the client in a timely manner, including but not limited to the tender of all filings, related deadlines, and notification of all substantive communications, written or verbal:

- i. The LLP must possess listening and comprehension skills to obtain relevant facts, goals, and concerns from the client; and
 - ii. The LLP must be able to ask pertinent questions and direct the conversation in a manner that is both efficient and respectful to the client.
- (6) Reading, Comprehension, and Analysis.
 - a. Law: The LLP must have the ability to read and interpret documents including court records, the court Registry of Actions (ROA), court orders, Colorado statutes, court rules, Chief Justice Directives (“CJD”), ethics opinions, and case law;
 - b. Written and oral comprehension: The LLP must have the ability to comprehend all written and oral information related to the client’s case; and
 - c. Analysis: The LLP must have the ability to understand and apply the applicable legal standards and identify other issues related to the client’s case.
- (7) Communication Skills.
 - a. Written: The LLP must have the ability to complete forms and prepare other **LEGAL** documents in language that is accurate, clear, precise, and responsive to the documents and issues facing the client; and
 - b. Oral: The LLP must have the ability to communicate with the Court, the client, the opposing party(s), counsel, other LLPs, ADR professionals, experts and third parties in a manner that is accurate, clear, precise, and responsive to the issues facing the client.
- (8) Research skills. The LLP must have the knowledge and skills to obtain any information necessary to fulfill the LLP’s obligations to the client, including the ability to:
 - a. Meaningfully access information using library (or legal) research;
 - b. Conduct computer and internet-based searches for legal content;
 - c. Investigate and problem solve; and
 - d. Navigate court records and other government databases.

(9) Negotiation and Mediation Skills. LLPs must demonstrate sufficient knowledge of the negotiation and mediation processes, negotiation and mediation theories, and best practices to allow the LLP to assist clients in negotiated and mediated agreements.

(10) General knowledge of the legal system and legal terminology. LLPs must have sufficient understanding of the legal system, including common legal terminology to:

- a. Understand the context in which the LLP serves clients and to serve them competently and professionally;
- b. Understand what matters are beyond the competence and licensure of the LLP; and
- c. Refer clients to appropriate sources of help (including referrals to attorneys, appropriate public officials, or to other sources of information and assistance) for those matters beyond the licensure and competence of the LLP.

(11) Knowledge of the court system, court rules, Chief Justice Directives (CJDs) and relevant procedures. Sufficient knowledge of the judicial system and the rules of procedure in that system to provide competent assistance within the LLP's scope of practice, and to provide information and legal advice to clients, including:

- a. Jurisdiction;
- b. Rules and procedures regarding proper service of process and other legal documents;
- c. Pleading procedures and deadlines regarding Petitions and Summonses, Motions, and Responses or other filings,
- d. This should include, at a minimum, a basic familiarity with:
 - i. The Colorado Rules of Civil Procedure;
 - ii. Chief Justice Directives;
 - iii. Magistrate Rules;
 - iv. Appellate Procedure;
 - v. The Colorado Rules of Evidence; and
 - vi. The Colorado Statutes concerning Domestic Relations matters.

B. LEARNING AND COMPETENCY OUTCOMES - SUBSTANCE-SPECIFIC LEARNING AND COMPETENCY OUTCOMES.

Generally. In each designated practice area, Colorado Licensed Legal Paraprofessionals must understand and demonstrate competence in the following:

- (1) Knowledge of the general principles of law, including terminology, sources of law (i.e. relevant statutes, rules, significant cases, and Chief Justice Directives), legal proceedings and remedies to understand fully the context and implications of those services the LLP is permitted to provide, and to understand the limits of those services.
- (2) Familiarity with court-approved forms and other **LEGAL** documents, and the ability to access all court approved forms:
 - a. An understanding of which forms are appropriate to the circumstances and requested relief;
 - b. The ability to evaluate a client's situation and determine the correct form and/or other **LEGAL** documents to use to achieve the client's objective;
 - c. The ability to determine which types of relief or other services **are not properly** addressed by an approved form and/or other **LEGAL** documents **thereby falling** outside the LLP's competence and licensure.
- (3) Experience and proficiency in completing each of the relevant family law forms and/or other **LEGAL** documents.
- (4) Experience in applying Family Law knowledge to a client's circumstances through simulation courses, clinical internships, **LLP education courses**, or similar training.

C. LEARNING AND COMPETENCY OUTCOMES - Knowledge of Family Law.

In addition to the general requirements above, prospective LLPs desiring to work in Family Law should understand and be competent in the following:

- a. Dissolution of Marriage or Legal Separation, Dissolution of Civil Union, Declaration of Invalidity of Marriage, Allocation of Parental Responsibility (APR) and determination of parentage as related to APR. (Colorado Revised Statutes §14-10-101 et. seq.).
 1. Jurisdiction and Venue (determining the correct State/Judicial District/County) (C.R.S. §14-10-106, C.R.C.P. Rule 98, including the Uniform Interstate Family Support Act (UIFSA), the Uniform Child Custody Jurisdiction and Enforcement Act (UCCJEA) and the Indian Child Welfare Act (ICWA)). ***In re Marriage of Green*, 2024 CO 24 (Colo. May 6, 2024).**

2. Initial Paperwork for filing – Case Information Sheet, Petition, Summons and Waiver of Service.
3. Definitions and interpretations of terms. (C.R.S. §14-10-103(1.5)).
 - i. As used in this article 10, unless the context otherwise requires:
 - (a) "Coercive control" has the same meaning as set forth in section 14-10-124(1.3).
 - (b) "Domestic violence" has the same meaning as set forth in section 14-10-124(1.3)
 - (c) "Economic abuse" means a behavior that is coercive, deceptive, or manipulative, or that restrains, sabotages, or unreasonably controls a person's ability to acquire, use, or maintain economic resources that the person is entitled to, including using coercion, threat of harm, force, fraud, or manipulation to:
 - (i) restrict a person's access to money, assets, credit, or financial information;
 - (ii) steal or unfairly use a person's economic resources, including money, assets, or credit;
 - (iii) use a person's credit or property without authorization;
 - (iv) prevent a person from leaving the person's residence to attend school or employment;
 - (v) exploit the person's resources for personal gain;
 - (vi) withhold individual resources from a person, such as food, clothing, necessary medications, or shelter;
 - (vii) cause or attempt to cause a person to be financially dependent by maintaining control over the person's financial resources; or
 - (viii) exert undue influence over a person's financial behavior or decisions, including forcing default on joint or other financial obligations; exploiting powers of attorney, guardianship, or conservatorship; or threatening to expose a person's suspected citizenship or immigration status or the suspected citizenship or immigration status of a person's family member to a federal, state, or local agency.

- (d) "Unlawful sexual behavior" has the same meaning as set forth in section 16-22-102.
4. Temporary/Emergency issues.
- a. Automatic Injunction (C.R.S. § 14-10-107);
 - b. Required notice of prior restraining, civil protection, or emergency protection orders to prevent domestic abuse. (C.R.S. 14-10-107.8).
 - c. Temporary Orders (C.R.S. § 14-10-108).
5. Allocation of Parental Responsibilities.
- i. Standing (Colorado Revised Statutes §14-10-123);
 - ii. Determination of parentage when parentage is in dispute (Colorado Revised Statutes §§14-10-107(4), 14-10-123 (1.8), 19-4-101 et.seq.);
 - iii. Definitions;
 - (a) "Coercive control." As used in this section, unless the context otherwise requires, "coercive control" means a pattern of threatening, humiliating, or intimidating actions, including assaults or other abuse, that is used to harm, punish, or frighten an individual. "Coercive control" includes a pattern of behavior that takes away the individual's liberty or freedom and strips away the individual's sense of self, including the individual's bodily integrity and human rights. "Coercive control" includes isolating the individual from support, exploiting the individual, depriving the individual of independence, and regulating the individual's everyday behavior. "Coercive control" includes, but is not limited to, any of the following:
 - (a) Isolating the individual from friends and family;
 - (b) Monitoring, surveilling, regulating, or controlling the individual's, or the individual's child's or relative's, finances, economic resources, or access to services;
 - (c) Monitoring, surveilling, regulating, or controlling the individual's, or the individual's child's or relative's, activities, communications, or movements, including through technology;

- (d) Name-calling, degrading, or demeaning the individual, or the individual's child or relative, on a frequent basis;
- (e) Threatening to harm or kill the individual or the individual's child or relative, including wearing, accessing, displaying, using, or cleaning a weapon in an intimidating or threatening manner;
- (f) Threatening to commit suicide or otherwise harm one's own person, when used as a method of coercion, control, punishment, intimidation, or retaliation against the person;
- (g) Threatening to harm or kill an animal with which the individual or the individual's child or relative has an emotional bond;
- (h) Threatening to publish the individual's, or the individual's child's or relative's, sensitive personal information, including sexually explicit material, or make reports to the police or authorities;
- (i) Damaging the individual's, or the individual's child's or relative's, property or household goods;
- (j) Threatening the individual, or the individual's child or relative, with deportation or contacting authorities based on perceived or actual immigration status, withholding essential documents required for immigration, or threatening to withdraw or interfere with an active immigration application or process; or
- (k) Forcing the individual, or the individual's child or relative, to take part in criminal activities or child abuse.

(b) "Domestic violence;"

(c) "Intimate relationship;"

(d) "Sexual assault."

iv. Best Interests of the Children: Understanding the Best Interests factors regarding parenting time (Colorado Revised Statutes §14-10-124(1.5)(a):

(1.5) Allocation of parental responsibilities:

(a) Determination of parenting time. The court may make provisions for parenting time that the court finds are in the best interests of the child, with the child's safety always paramount, unless the court finds, after a hearing, that parenting

time by the party would endanger the child's physical health or significantly impair the child's emotional development. In any order imposing or continuing a parenting time restriction, the court shall enumerate the specific factual findings supporting the restriction, including findings related to domestic violence, child abuse, and child sexual abuse, and may enumerate the conditions that the restricted party could fulfill in order to seek modification in the parenting plan. When a claim of child abuse or neglect, domestic violence, or sexual assault has been made to the court, prior to determining parenting time, the court shall follow the provisions of subsection (4) of this section. In determining the best interests of the child for purposes of parenting time, the court shall consider all relevant factors, including:

- (I) The wishes of the child's parents as to parenting time;
- (II) The wishes of the child if he or she is sufficiently mature to express reasoned and independent preferences as to the parenting time schedule;
- (III) The interaction and interrelationship of the child with his or her parents, his or her siblings, and any other person who may significantly affect the child's best interests;
- (III.5) Any report related to domestic violence that is submitted to the court by a child and family investigator, a professional parental responsibilities evaluator, or a legal representative of the child. The court may consider other testimony regarding domestic violence from the parties, experts, therapists or other lay witnesses.
- (IV) The child's adjustment to his or her home, school, and community;
- (V) The mental and physical health of all individuals involved, except that a disability alone shall not be a basis to deny or restrict parenting time;
- (VI) The ability of the parties to encourage the sharing of love, affection, and contact between the child and the other party; except that, if the court determines that a party is acting to protect the child from witnessing domestic violence or from being a victim of child abuse or neglect or domestic violence, the party's protective actions shall not be considered with respect to this factor;

(VII) Whether the past pattern of involvement of the parties with the child reflects a system of values, time commitment, and mutual support;

(VIII) The physical proximity of the parties to each other as this relates to the practical considerations of parenting time;

(IX) and (X) Repealed.

(XI) The ability of each party to place the needs of the child ahead of his or her own needs.

(a.5) In determining the best interests of the child for purposes of parenting time, the court shall strive not to consider as a relevant factor information or recommendations that are biased, including bias regarding religion, gender, gender identity, gender expression, sexual orientation, culture, race, ethnicity, national origin, or disability.

v. Allocation of decision-making responsibility. Understanding the Best Interests factors regarding decision-making (Colorado Revised Statutes §14-10-124(1.5)(b):

The court, upon the motion of either party or its own motion, shall allocate the decision-making responsibilities between the parties based upon the best interests of the child. In determining decision-making responsibility, the court may allocate the decision-making responsibility with respect to each issue affecting the child mutually between both parties or individually to one or the other party or any combination thereof. When a claim of child abuse or neglect or domestic violence has been made to the court, or the court has reason to believe that a party has committed child abuse or neglect, domestic violence, or sexual assault where there is also a claim that the child in question was conceived as a result of the sexual assault, prior to allocating decision-making responsibility, the court shall follow the provisions of subsection (4) of this section. In determining the best interests of the child for purposes of allocating decision-making responsibilities, the court shall consider, in addition to the factors set forth in paragraph (a) of this subsection (1.5), all relevant factors including:

(I) Credible evidence of the ability of the parties to cooperate and to make decisions jointly;

(II) Whether the past pattern of involvement of the parties with the child reflects a system of values, time commitment, and mutual support that would indicate an ability as mutual decision makers to provide a positive and nourishing relationship with the child;

(III) Whether an allocation of mutual decision-making responsibility on any one or a number of issues will promote more frequent or continuing contact between the child and each of the parties.

(1.7) Pursuant to section 14-10-123.4, children have the right to have the determination of matters relating to parental responsibilities based upon the best interests of the child. In contested hearings on final orders regarding the allocation of parental responsibilities, the court shall make findings on the record concerning the factors the court considered and the reasons why the allocation of parental responsibilities is in the best interests of the child.¹

(4)(e) When the court finds by a preponderance of the evidence that one of the parties has committed child abuse or neglect, domestic violence, or sexual assault resulting in the conception of the child, in formulating or approving a parenting plan, the court shall consider conditions on parenting time that ensure the safety of the child and abused party, giving paramount consideration to the safety and the physical, mental, and emotional conditions and needs of the child and abused party. In addition to any provisions set forth in subsection (7) of this section that are appropriate, the parenting plan in these cases may include, but is not limited to, the following provisions:

(I) An order limiting contact between the parties to contact that the court deems is safe and that minimizes unnecessary communication between the parties;

(II) An order that requires the exchange of the child for parenting time to occur in a protected setting determined by the court;

(III) An order for supervised parenting time;

(IV) An order restricting overnight parenting time;

¹ As proposed by an appointed CFI or PRE, and/or from another source determined by the parties or the Court (See, e.g. <https://www.azcourts.gov/portals/31/parentingtime/ppwguidelines.pdf>).

(V) An order that restricts the party who has committed domestic violence, sexual assault resulting in the conception of the child, or child abuse or neglect from possessing or consuming alcohol or controlled substances during parenting time or for twenty-four hours prior to the commencement of parenting time;

(VI) An order directing that the address of the child or of any party remain confidential;

(VII) An order that imposes any other condition on one or more parties that the court determines is necessary to protect the child, another party, or any other family or household member of a party; and

(VIII) An order that requires child support payments to be made through the child support registry to avoid the need for any related contact between the parties and an order that the payments be treated as a nondisclosure of information case.

(9) If the court orders unsupervised parenting time for a parent and there is any information, including an accusation by a child, that the parent has committed domestic violence, child abuse, or child sexual abuse, or if the parent is accused by the child of domestic violence, child abuse, child sexual abuse, child emotional abuse, or coercive control, the court shall make a statement in writing or orally on the proceeding record regarding why unsupervised parenting time for the parent was determined to be in the best interests of the child with paramount consideration given to the child's safety and the physical, mental, and emotional conditions and needs of the child.

vi. Endangerment concerns (Colorado Revised Statutes §§13-14-100 et. seq., 14-10-124(2), 126, 129(2.5), 129(3), 129(4)):

- a. Supervised parenting time (when appropriate);
- b. Domestic violence, child abuse, child sexual abuse, child emotional abuse, or coercive control, and the impact on child(ren)/parenting;
- c. Court Interviews of children;
- d. Unaddressed mental health conditions that impact parenting;
- e. Unaddressed mental health conditions of the child(ren);
- f. Substance abuse and addiction challenges of parent(s) and/or child(ren);
- g. Convictions of crimes impacting parenting;

- h. Involvement of Child Protective Services;
 - i. Other restrictions on contact (TPOs, EPOs, PPOs, MPOs).
 - vii. Family time for grandparents or great-grandparents and disputes regarding grandparents or great-grandparents family time (Colorado Revised Statutes §14-10-124.4 and §14-10-124.5).
 - viii. Parenting classes (when minor child(ren) are involved), Colorado Revised Statutes §14-10-123.7.
 - viii. Sole vs. Joint Decision-Making in the context of the full range of family dynamics.
 - ix. Child and Family Investigations, Child Legal Representatives and Parental Responsibility Evaluations, Decision-making (when needed, how to select a CFI /CLR /PRE/PC/DM/arbitrator, role/scope of evaluation), the need for an appropriately trained and appropriately experienced (trauma-informed) CFI /CLR /PRE/PC/DM/arbitrator, and when the involvement of a licensed attorney is necessary. (C.R.S. §14-10-116, C.R.S. §14-10-116.5, C.R.S. §14-10-127, C.R.S. §14-10-127.5, CJDs 04-08 and 21-02).
 - x. Enforcement of Parenting Time. C.R.S. §14-10-129.5.
 - xi. Modification of Parenting Time. C.R.S. §14-10-129.
 - xii. Relocation. C.R.S. §14-10-129(2).
 - xiii. Modification of Decision-making. C.R.S. §14-10-131.
6. Child Support C.R.S. §14-10-115.²
- a. Determining Incomes:
 - a. Full-time v. part-time employment;
 - b. Mandatory v. voluntary overtime;
 - c. Imputation of income or potential income;
 - d. Self employment income;
 - e. Ordinary and necessary expenses;
 - f. Low income issues;
 - g. Other forms of income;

² Note that this will change in March, 2026.

- h. Maintenance actually received;
- i. Retirement distributions or non-distributions;
- j. Social Security benefits;
- k. Determining incomes when a party is not forthcoming with financial information;
- l. Disclosure/Discovery Issues.
- b. How Parenting Time affects Child Support.
- c. Navigating Child Support Worksheets:
 - a. Maintenance payments;
 - b. Non-joint child(ren);
 - c. Joint child(ren) with different overnight schedules;
 - d. Number of overnights;
 - e. Childcare costs;
 - f. Benefits/health insurance;
 - g. Extraordinary medical expenses v. adjustments for health-care expenditures;
 - h. Determining shared school costs;
 - i. Other extraordinary expenses;
 - j. Child(ren)'s income.
 - k. Nonparents with APR.
- d. Burden of proof regarding worksheet numbers.
- e. Transportation costs.
- f. Deviation requirements.
- g. Extraordinary adjustments to the schedule of basic child support obligations:
 - (a) By agreement of the parties or by order of court, the following reasonable and necessary expenses incurred on behalf of the child must be divided between the parents in proportion to their adjusted gross income:
 - (I) Any expenses for attending any special or private elementary or secondary schools to meet the particular educational needs of the child or public school mandatory school fees; and

(II) Any expenses for transportation of the child, or the child and an accompanying parent if the child is less than twelve years of age, between the homes of the parents.

(b) Any additional factors that actually diminish the basic needs of the child may be considered for deductions from the basic child support obligation.

(c)(I) If the noncustodial parent receives periodic disability benefits granted by the federal “Old-age, Survivors, and Disability Insurance Act”, 42 U.S.C. sec. 401 et seq., due to the disability of the noncustodial parent or receives employer-paid retirement benefits from the federal government due to the retirement of the noncustodial parent, the noncustodial parent shall notify the custodial party, and the delegate child support enforcement unit, if a party to the case, within sixty days after the noncustodial party receives notice of such benefits. ...

ii. Criteria for modifying /terminating child support.

- a. Change of circumstances;
- b. Annual exchange of information.

iii. Emancipation.

iv. Allocation of dependency exemptions (taxes).

(a) The court may allocate an income tax dependency exemption and the resulting tax benefit for a child and require the party who has the child in the party’s physical custody for more than fifty percent of the calendar year to provide the other party a properly executed declaration that releases the party’s claim to the child as a dependent pursuant to the federal “Internal Revenue Code of 1986”, 26 U.S.C. sec. 152 (e). If an allocation of exemption is contested, the court must make findings supporting the court’s decision for the allocation.

(b) In determining the allocation pursuant to subsection (12)(a) of this section, the court shall consider the following:

(I) The financial resources of each party;

(II) Any negative impacts on a party's ability to provide for the needs of the child if the party is not awarded the allocation of exemption;

(III) If one party or both parties would each receive a tax benefit from the right to claim the child for tax purposes pursuant to the federal "Internal Revenue Code of 1986", 26 U.S.C. sec. 152 (e). the filing status as head of household is not impacted by this designation.

(IV) The impact of the allocation of exemption on either party's ability to claim a premium tax credit or a premium subsidy pursuant to the federal "Patient Protection and Affordable Care Act", 42 U.S.C. sec. 18001 et seq., as amended by the federal "Health Care and Education Reconciliation Act of 2010", 42 U.S.C. sec. 1305 et seq., and any federal guidance or regulations issued pursuant to the federal acts.

(c)(I) The court may place reasonable conditions on a party's right to claim an allocation of exemption, including a requirement that the party remains in compliance with a child support obligation. In the event the party is not in compliance with a child support obligation or other court order, either party may move to modify the allocation of exemption.

(II) As used in this subsection (12)(c), "compliance with a child support obligation" means making ordered payments for the applicable tax year.

(d) If the court determines that a party has claimed an income tax dependency exemption in violation of a court order or applicable law, or has failed or refused to provide a properly executed written declaration that releases the party's claim to a child as a dependent to the other party as required by court order, the court may issue an order requiring compensation in the amount of the lost tax benefit and reasonable attorney fees and costs to the party who was wrongfully deprived of the income tax dependency exemption. A motion for relief must be brought within three years after the date of filing the income tax return in which the exemption was claimed or could have been claimed. A party who brings a meritless motion for relief may be ordered to pay reasonable attorney fees and costs to the other party.

7. Maintenance.
 - i. Calculation of maintenance:
 - a. Factors; including: (xii.5) whether a spouse has engaged in domestic violence, coercive control, economic abuse, litigation abuse, emotional abuse, physical abuse, or unlawful sexual behavior against the other spouse; and
 - b. Burden of proof regarding factors;
 - ii. Amount and duration of award, if any:
 - c. Predissolution filing;
 - d. Temporary;
 - e. Permanent;
 - f. Retroactivity.
 - iii. Tax issues;
 - a. Waiver of maintenance.
 - b. Contractual, nonmodifiable maintenance.
 - c. Modification of maintenance:
 - i. Under C.R.S. §14-10-122 (unfair);
 - ii. Under C.R.S. §14-10-122 (1)(a) (*IRM Cauffman*, 829 P.2d 501 (1992));
 - d. Termination of maintenance.
 - e. Life insurance to secure maintenance and/or child support award.

C. LEARNING AND COMPETENCY OUTCOMES - Division of Assets and Debts.

1. Assets.
 - a. Types of Assets:³
 - a. Real Property;
 - b. Titled Vehicles;
 - c. Cash on Hand, Bank, Checking, Savings, or Health Accounts;
 - d. Other Personal Property (Furniture, Household Goods, and Other Personal Property, i.e. Jewelry, Antiques, Collectibles, Artwork, Power Tools, etc.);

³ When valuation of assets is at issue, the involvement of a licensed attorney may be necessary.

- e. Stocks, Bonds, Mutual Funds, Securities & Investment Accounts;
- f. Pension, Profit Sharing, or Retirement Funds;
- g. Miscellaneous Assets:⁴
 - a. Business Interests;
 - b. Stock Options and Restricted Stock Units (RSUs);
 - c. Money/Loans owed to party(s);
 - d. IRS Refunds due to party(s);
 - e. Country Club & Other Memberships;
 - f. Livestock, Crops, Farm Equipment;
 - g. Pending lawsuit or claim;
 - h. Accrued Paid Leave (sick, vacation, personal);
 - i. Oil and Gas Rights;
 - j. Vacation Club Points;
 - k. Safety Deposit Box/Vault;
 - l. Trust Beneficiary;
 - m. Cryptocurrency;
 - n. Health Savings Accounts;
 - o. Mineral and Water Rights;
 - p. Frequent Flyer Miles;
 - q. Education Accounts
 - r. Season tickets to sports teams.
- ii. Disposition of Assets:
 - a. Determining what is premarital property (joint property acquired before the marriage and not divisible by the DR Court), what is marital property and what is separate property;
 - b. Burden of proof and documentation for separate property;
 - c. Interspousal gifts;
 - d. Gifts from others;
 - e. Inheritance;

⁴ This list is not all-inclusive.

- f. Increase in value during marriage.
 - iii. Valuation.
 - iv. Allocation:
 - a. Title/status of ownership (with documentation);
 - b. Title/status of encumbrance(s) (with documentation);
 - v. Transferring and/or dividing property:
 - a. How to transfer title;
 - a. C.R.C.P. 70 for Clerk of Court to transfer title of property;
 - b. Quitclaim deed or Special Warranty Deed.
 - b. Refinancing or selling;
 - c. Division of retirement and QDROs (Qualified Domestic Relations Order);
 - d. Indemnification language;
 - e. Enforcement language.
 - vi. Dissipation issues:
 - a. Marital waste;
 - b. Lis Pendens;
 - c. Substitute title.
- 2. Division of Debts:
 - i. Knowledge of: - Title/status of debts (with documentation);
 - a. Current balance;
 - b. Payment terms;
 - c. Credit reports;
 - d. Release of information;
 - e. Secured v. unsecured.⁵
 - ii. Allocation:
 - a. Determining what is premarital debt (joint debt acquired before the marriage and not divisible by the DR Court), what is marital debt and what is separate debt; what is marital debt and what is separate debt;

⁵ When parties are simultaneously involved in Bankruptcy and Domestic Relations proceedings, involvement of a licensed attorney may be necessary.

- i. Burden of proof and documentation for separate debt;
 - ii. Interspousal debts;
 - iii. Promissory notes;
 - iv. Tax debt;
 - v. Debts owed to family;
 - vi. Increase or decrease in balance during marriage.
- iii. Division of debt(s):
 - a. Refinancing;⁶
 - b. Indemnification language;
 - c. Enforcement language.
- iv. Miscellaneous:
 - a. How to create spreadsheet required by many jurisdictions for property division;⁷
 - b. Understanding equitable division (equitable is not necessarily equal).

D. LEARNING AND COMPETENCY OUTCOMES

In addition to the general requirements above, LLPs practicing Family Law (Domestic Relations or DR) must demonstrate sufficient competency to provide legal advice and assist parties in accurately completing all relevant forms in the following areas:

- 1. Law applicable to all Family Law cases:
 - i. Domicile (C.R.S. § 14-10-106);
 - ii. Venue (C.R.C.P. Rule 98(c));
 - iii. Service of Process (C.R.S. § 14-10-107 AND C.R.C.P. Rule 4);
 - iv. Automatic Injunction (C.R.S. § 14-10-107);
 - v. Required notice of prior restraining, civil protection, or emergency protection orders to prevent domestic abuse. (C.R.S. 14-10-107.8).

⁶ If the marital estate may be insolvent, the LLP should direct the parties to consult with a bankruptcy attorney.

⁷ Look at tools online at the Colorado Judicial website (currently Family Law Software).

- vi. Temporary Orders (C.R.S. § 14-10-108).
- 2. For cases involving minor child(ren):
 - i. Inclusion or Exclusion of Child(ren) in Dissolution Action (C.R.S. § 14-10-107);
 - ii. Filing a Separate Petition for the Allocation of Parental Responsibilities (C.R.S. § 14-10-123);
 - iii. Parentage Determination (C.R.S. § 14-10-123(1.8)/ C.R.S. § 19-4-101, et. seq.);
 - iv. Automatic Injunction Regarding Child(ren) (C.R.S. § 14-10-123);
 - v. Best Interest Factors Related to the Allocation of Parenting Time (C.R.S. § 14-10-124);
 - vi. Allocation of Decision-Making (C.R.S. § 14-10-124);
 - vii. Child And Family Investigator (C.R.S. § 14-10-116.5);
 - viii. Parental Responsibilities Evaluator (C.R.S. § 14-10-127);
 - ix. Parenting Coordinator (C.R.S. § 14-10-128.1);
 - x. Decision Maker (C.R.S. § 14-10-128.3);
 - xi. Child Legal Representative (C.R.S. § 14-10-116);
 - xii. Determination of Income (C.R.S. § 14-10-115);
 - a. Allowable Adjustments;
 - b. Allowable Expenses;
 - c. Deviation Standards.
- 3. Documents necessary for the filing of dissolution of marriage or civil union, legal separation, declaration of invalidity of marriage and/or allocation of parental responsibility:
 - i. Petition for Dissolution of Marriage (C.R.S. § 14-10-107);
 - ii. Petition for Dissolution of Civil Union (C.R.S. § 14-10-106.5);
 - iii. Petition for Dissolution of Marriage Upon Affidavit (C.R.S. § 14-10-120.3);
 - iv. Petition for Invalidity of Marriage (C.R.S. § 14-10-111);
 - v. Petition for Legal Separation (C.R.S. § 14-10-107);
 - vi. Petition for the Allocation of Parental Responsibilities (C.R.S. § 14-10-123);
 - vii. Case Information Sheet;
 - viii. Summons (C.R.S. § 14-10-107);
 - ix. Sworn Financial Statement (C.R.C.P. Rule 16.2) and Certificate of Compliance;

- x. Proposed Allocation of Marital Estate;
 - xi. Proposed Spousal Maintenance Award;
 - xii. Proposed Parenting Time Plan;
 - xiii. Proposed Child Support Worksheet;
 - xiv. Joint Trial Management Certificate (C.R.C.P. RULE 16.2).
4. Disclosures/Discovery.
- i. Knowledge of the rules regarding initial disclosures (C.R.C.P. Rule 16.2) and pattern discovery (C.R.C.P. Rules 26 – 37, C.R.C.P. Rule 121, Appendix to C.R.C.P. Rule 121 – Forms 20 - 38); and
 - ii. Knowledge of the discovery process, the rules governing the discovery process, and drafting and responding to pattern and non-pattern discovery requests, as allowed by the Court.
5. Modification of Orders:
- i. Modification of Spousal Maintenance (C.R.S. § 14-10-122),
 - ii. Modification of Parenting Time (C.R.S. § 14-10-129);
 - iii. Modification of Decision-Making (C.R.S. § 14-10-131);
 - iv. Modification of Child Support (C.R.S. § 14-10-122).
6. Enforcement of Orders:
- i. Parenting Time and Decision-Making (C.R.S. § 14-10-129.5);
 - ii. Contempt (C.R.C.P. Rule 107);
 - iii. Bonds, sureties, and life insurance provisions, orders or agreements (C.R.S. § 14-10-118);
 - iv. Verified Entry of Judgment for Spousal Maintenance and Child Support (C.R.S. § 14-10-122; C.R.C.P. Rule 69; and
 - v. Conveyance of Deeds or Documents (C.R.C.P. Rule 70).
7. Emergency Motions:
- i. Restriction of Parenting Time (C.R.S. § 14-10-129(4));

- ii. Uniform Child Abduction Prevention Act (C.R.S. § 14-13.5-101 et. seq.); and
 - iii. Protection Orders (C.R.S. § 13-14-101 et. seq.).
8. Other matters that may or may not be adjunct to the LLP practice (See RULES GOVERNING THE ADMISSION TO THE PRACTICE OF LAW IN COLORADO, Rule 207.1 (2):
- i. Stipulated Case Management Plan (C.R.C.P. Rule 16.2); **(74)**
 - ii. Verified Pleading Affidavit for Grandparent or Great-Grandparent Visitation (C.R.S. § 19-1-117); (REPEALED AND RELOCATED. See instead C.R.S. § 14-10-124.4, 14-10-124.5, 14-10-123.3.
 - iii. Motion to Intervene (C.R.C.P. Rule 24);
 - iv. Determination of parentage (C.R.S. §19-4-101 et.seq.);
 - v. Name change for minor child (C.R.S. §13-15-101 et. seq.);
 - vi. Garnishment for Support (C.R.S. §13-54-101 et. seq.); and
 - vii. Income Assignments (C.R.S. §14-14-111.5).

E. LEARNING AND COMPETENCY OUTCOMES - Rules and Laws Governing Alternative Dispute Resolution.⁸ In addition to the general requirements above, LLPs practicing Family Law (Domestic Relations or DR) must be prepared to assist parties in Alternative Dispute Resolution (mediation and arbitration) with knowledge of:

- i. The Colorado Dispute Resolution Act (“CDRA”) C.R.S. § 13-22-301 et. seq.;
 - a. CDRA’s strict confidentiality provisions and exceptions (C.R.S. § 13-22-302 (2.5));
 - b. CDRA Colorado Rules of Civil Procedure: Rule 16(b)(7), 16.1(f), 16.2(i) (confirm settlement discussions/alternate dispute resolution).
- ii. Case law (*Yaekle v. Andrews*, 195 P.3d 1101, 1110 (Colo. 2008);
- iii. Colorado Rule of Evidence 408 (compromise and offers to compromise);
- iv. Court ordered v. voluntary mediation;

⁸ Mediation Guide for Colorado Courts (coloradoodr.org).

- v. Bases for opting-out of mediation:
 - a. Domestic Violence;
 - b. Case inappropriate for mediation;
- vi. Sanctions for failure to comply.

F. LEARNING AND COMPETENCY OUTCOMES – Associated Concepts of Law.

To the extent they have not learned them in connection with the substantive areas of knowledge identified above, LLPs must understand the meaning and significance of the following general legal principles, as necessary to understand and apply the relevant rules governing LLP practice, and as necessary to prepare their clients for court hearings:

1. Rules governing the use of interactive audiovisual devices and communication technology in court proceedings (C.R.S. § 13-1-132);
2. Default judgments (C.R.C.P. Rule 55; *In re Marriage of Vega*, 2021 COA 99.)
3. The implications of related civil and criminal proceedings, i.e., burdens of proof, Fifth Amendment rights, adverse inferences, etc.;⁹
4. Deadlines for exercising legal rights, whether by statute or rule, including:
 - i. Procedures for and standards of appellate review (Colorado Rules of Appellate Procedures Rules 25 – 46); *In re the Marriage of Wiggs*, 2025 COA10 (Colo. App. Jan. 30, 2025).
 - ii. Procedures for and standards of magistrate review (Colorado Rules for Magistrates Rule 7); *In re Marriage of Matheny*, 2024 COA 81 (Colo. App. Aug. 1, 2024).
 - i. Procedures for enforcement of judgments (C.R.C.P. Rules 54 – 60; C.R.S. § 14-14-111.5; C.R.S. § 13-54-101 et.seq.; C.R.S. § 13-54.5-101; C.R.S. § 13-56-101 et. seq.); *In re Marriage of Goldstone*, 2023 COA 116 (December 7, 2023)
5. Principles of equity, including laches, estoppel, and irreparable harm; *In re Marriage of Gallo*, 2024 COA 86 (Colo. App. Aug. 8, 2024).
6. Definition and recognition of trusts sufficient to exclude from LLP practice;

⁹ When parties are simultaneously involved in criminal and Domestic Relations proceedings, involvement of a licensed attorney may be required.

7. The concept and elements of fraud, conversion, and embezzlement;
8. The recognition and importance of bonds, sureties, insurance and subrogation provisions or agreements;
9. Liens;
10. Evidentiary principles (Generally, C.R.S. § 13-25-101 et.seq.):
 - i. The difference between objective and subjective knowledge or beliefs ;
 - ii. The difference between fact and inference;
 - iii. The concepts of relevance and materiality;
 - iv. The rules of evidence that apply in hearings.

Learning and Competency Outcomes for Ethics Exam:

G. Rules Governing Licensed Legal Paraprofessionals.

The LLPS must understand the rules governing LLPS (Licensed Legal Paraprofessional Rules of Professional Conduct, RULES GOVERNING THE ADMISSION TO THE PRACTICE OF LAW IN COLORADO 207 – 207.14, and other rules changes currently being drafted by the various Colorado Supreme Court Rules Committees):

1. Principles of LLP ethics, professionalism, and civility. Although LLPS should be familiar with all aspects of the above rules, the mandatory ethics training program should ensure that LLPS understand the following major concepts regarding the ethical aspects of practice and client representation:
 - a. The standards of care and other duties LLPS must exercise on behalf of their clients;
 - b. The difference between rules, comments, and ethics opinions regarding rules of ethics governing LLPS;
 - c. The nature of the LLP-client relationship:
 - i. The LLP's obligation when a client needs or requests representation;
 - ii. When the LLP-client relationship is created;
 - iii. The manner in which it may be declined or terminated;

- iv. The limits of the LLP licensure and role;
 - v. The duty to inform the client that the LLP is not an attorney;
 - vi. The LLP's duty of reasonable consultation and communication with clients;
 - vii. The concept of and importance of informed consent;
 - viii. The concept and importance of client confidentiality and privilege, and when confidentiality can or should be breached;
 - ix. The permissible and appropriate fee arrangements LLPs can enter with clients; and
 - x. LLP duties regarding client funds and other property held by the LLP on behalf of the client. The nature of business relationships within which LLPs may practice, and the constraints associated with those relationships.
- d. Other ethical considerations:
- i. The meaning and implications of various disciplinary sanctions and how they affect the ability to practice as an LLP, including disbarment, suspension, interim suspension, Public Censure, Private Admonition, and Diversion;
 - ii. The concept of conflict of interest, what constitutes a conflict, and the appropriate steps to prevent or mitigate any conflicts;
 - iii. The principle that LLPs are officers of the legal system and have duties and responsibilities to the system of justice as well as their clients, including the duty of candor to courts, honesty and fairness, and the duty to avoid frivolous or otherwise nonmeritorious claims or arguments;
 - iv. Appropriate and inappropriate communications and means of communicating with or influencing judicial officers and court personnel, including *ex parte* communications;
 - v. The concept and limits of "zealous" advocacy on behalf of clients, and the responsibility to balance that role against principles of justice, professionalism, and civility to opposing parties and counsel;
 - a. In a matter involving or expected to involve litigation, an LLP should advise the client of alternative forms of dispute resolution that might reasonably be pursued to attempt to resolve the legal dispute or to reach the legal objective sought; and

- b. In a matter involving the allocation of parental rights and responsibilities, an LLP should consider advising the client that parental conflict can have a significant adverse effect on minor child(ren).
- e. The principles governing and limiting communications with other represented and unrepresented individuals.
 - i. The importance of *pro bono* representation and the LLP's participation in other measures to improve access to justice for under-represented parties;
 - ii. The principles and rules governing and limiting advertising and other measures to obtain clients, including appropriate information about the nature, scope, and limitations of the LLP's practice, including the approved areas of practice;
 - iii. The importance of negotiating settlement agreements fairly and representing the agreement fairly and accurately in reducing settlement negotiations to writing;
 - iv. The ethical obligations of the LLP when a client wants the LLP to do something unethical or illegal; and
 - v. The nature of the LLP's duties to former clients.