

DISTRICT COURT, 4th JUDICIAL DISTRICT, STATE OF COLORADO Court address: P.O. Box 2980 270 S. Tejon Colorado Springs, CO 80901-2980	<hr/> Court Use Only <hr/> Case Number Division Courtroom
THE PEOPLE OF THE STATE OF COLORADO In the interest of: EL PASO COUNTY DEPARTMENT OF HUMAN SERVICES, Petitioner, and concerning , Respondents.	
DEPENDENCY AND NEGLECT PRE-TRIAL ORDER	

This Order shall apply to all contested hearings (excluding preliminary protection proceedings) in dependency and neglect cases unless modified by specific order of court.

1. When scheduling a hearing, all counsel must consult with each other so the appropriate amount of time will be set aside for the hearing.
2. No later than **5 business days** before an adjudicatory hearing, hearing on permanent custody, hearing on termination, or other contested hearing, a list of witnesses and a list of exhibits shall be filed with the court and provided to all parties. Expert witnesses shall also be disclosed no later than 5 business days before the hearing. A copy of the expert's CV and any reports prepared by the expert shall be provided to all parties at that same time. If the expert did not prepare a written report, a brief summary of the expert's expected testimony and opinion shall be provided.
3. For an adjudicatory jury trial, the county attorney shall deliver the proposed jury instructions to chambers no later than the morning of trial. Each party must provide their own proposed instruction for any that is in dispute and any additional instructions not included in the county attorney packet.
4. If counsel for any party objects to the admissibility of any expert testimony as contemplated by *People v. Shreck*, 22 P.3d 68 (Colo. 2001), such objections must be made by written motion and must be filed no later than **2 business days** before trial. Failure to file such motions will be deemed a waiver of *Shreck* admissibility objections. The proponent of the expert witness shall still be required to establish the witness's qualifications pursuant to C.R.E. 702. All other motions, including motions in limine, must be filed no later than **2 business days** prior to trial.
5. All status reports must be filed with the court and served on all parties no later than **2 business days** before the scheduled hearing.

6. All discovery shall be completed no later than **10 business days** before the contested hearing.
7. Counsel will be provided with copies of the completed jury questionnaires prior to commencement of voir dire in an adjudication hearing. At the conclusion of voir dire, all copies will be returned to the Court and will be destroyed. The original questionnaires will be placed in an envelope, sealed, and maintained for appellate purposes.
8. For jury selection (without an alternate), 15 jurors shall be seated in (or in front of) the jury box. Counsel shall conduct their *voir dire* of the entire jury venire, including those not seated in the jury box. The county attorney and GAL shall each excuse 3 jurors seated in the box. Respondents shall excuse 3 jurors seated in the box. Respondent counsel shall share 3 challenges.
9. Opening Statements, Closing Arguments, and Voir Dire are limited to **20 minutes** for Respondents (to be shared as they determine); **20 minutes** for the county attorney; and **20 minutes** for the GAL. For good cause shown, these time limits may be modified prior to commencement of trial.
10. All counsel and parties are required to comply with this Dependency and Neglect Pre-Trial Order. If you have any questions concerning the content of these instructions, you should arrange either a telephone conference with the Court, or if the Court deems necessary, set the matter for a Status Conference.
11. If all pre-trial matters have not been conducted in substantial compliance with these instructions, the Court may vacate the hearing and impose other sanctions as are appropriate.

So Ordered June 16, 2010.

BY THE COURT

DAVID L. SHAKES
PRESIDING JUVENILE COURT JUDGE