



IMPORTANT  
INFORMATION ABOUT  
CHILD SUPPORT  
HEARINGS

Denver Department of Human Services, Child  
Support Office

A Magistrate presides over the hearing. The hearing includes a fact finding process designed to help the court gather information upon which to base a court order. The Magistrate ensures that you and the other parent receive a fair hearing, determines the facts of the case, and makes a decision.

What to expect

### **Before the hearing**

- In all cases where the court will decide or modify child support, each parent must complete a financial affidavit. The court uses the information on the financial affidavit to calculate child support.
- The court expects you to appear at the hearing in person. If you need to appear by phone you must ask the Department 30 days before the hearing.
- You have the right to be represented by an attorney licensed to practice in Colorado. If you hire an attorney, hire one immediately, and notify the Department.

### **At the hearing**

- You will be sworn in and you will give information under oath.
- You will have a chance to tell your side of the case.
- The court records all hearings.

### **After the hearing**

- In most cases, the Department will mail an order to you within thirty days.

Information you must bring to the hearing

- A written verification of your income from all sources
- Child support orders you have to pay for other children and proof of payment.
- Your monthly cost for available health care coverage for the child of this action.
- The amount of parenting time in your court order
- Your child care expenses
- Evidence of any situation that limits your ability to earn income, such as a proven disability or health condition.
- Proof of direct child support payments.

## Notification of hearings

- The paperwork that was served on you personally or by mail may contain the hearing time, day and place. If so, that is the only notice you will receive.
- If the court or the child support agency sends you a Notice of Hearing, it will be sent before the hearing and will state the time, day and place.

## Reporting special needs and requesting interpreters

- To arrange for an accommodation or interpreter, contact your Child Support office or Court Administration

## Hearing Tips

- Before the hearing, write a list for yourself of the points you want to address and questions you want to ask.
- Children are not allowed in the courtroom, make arrangements for child care.
- Take notes. You can use them when it is your turn to ask questions.
- Wait until it is your turn to ask questions. **Do not interrupt anyone**, especially the Magistrate.
- Address the Magistrate as "your honor" each time you speak. Address others as "Mr." or "Ms." or use "sir" or "madam".
- Turn off pagers and cell phones.
- Dress in clean and neat clothing.
- **Plan to arrive at least 15 minutes before the time of your hearing.**

## Court orders establish legal obligations

Colorado law requires certain notices of rights and responsibilities. Both parents should read the information in the court order carefully so they know and understand the law.

## Child support payments

Obligors must send child support payments to:

Family Support Registry  
P.O. Box 2171  
Denver, CO 80201-217

Be sure to include your name and your case number or court number with your payment.

- Employers may withhold child support from wages without advance notice.
- Gifts do not count as child support, even if the gifts are necessities (such as diapers and formula).
- Denial of parenting time is not an excuse for paying support.
- Nonpayment of support is not an excuse for denial of parenting time.

## Changes to the order

- If the obligor is laid off from employment or receives a pay reduction, support may be reduced, but only if a motion to modify the support is served and filed with the court and the court approves the modification.
- Each party must notify the court, and the child support office within ten days of the change to:
  1. Home and mailing address
  2. Telephone number
  3. Name, address, and phone number of the employer

## Enforcement

- If a person fails to make a child support payment as ordered, the payment owed becomes a judgment by operation of law.
- Non payment of support may also be enforced by:
  1. Interception of state and federal tax refunds
  2. Suspension of driver's, recreations, and occupational licenses
  3. Reporting to credit bureaus
  4. Other enforcement remedies as allowed by Colorado law.
- A person who fails to pay child support may face contempt of court charges