

Adjudication Quick Reference Chart

TRIAL	DEFAULT	SUMMARY JUDGMENT	DISMISSAL	ADMISSIONS	DEFERRED ADJUDICATION	INFORMAL ADJUSTMENT
<b>Bench vs Jury</b> (preponderance) (no magistrate for jury)	requires notice <i>and</i> failure to appear*	no genuine issue of material fact	GAL has standing to object – <b>entitled</b> to a hearing	must be advised (may accept written admission)	consent by all parties <b><i>right to trial waived</i></b>	by agreement no adjudication <b><i>right to trial not waived</i></b>
- <b>non epp</b> : 90 days of service of petition - <b>epp</b> : 60 days of service of petition -continue only for good cause/best interest of child or manifest injustice	request offer of proof of factual basis	time frames do not comply with EPP cases – filing 21 days before schedule trial has been upheld	standard is preponderance	- admission by one Respondent or parent is not enough to sustain as to the other Respondent(s) - Respondent may have option to waive factual basis	Respondents must be fully informed/advised of the consequences of default	Respondents must be informed of their rights
notice to all parties, foster parents, relative placements, CASA, tribe	* Non appearance alone does not necessarily mean a failure to defend (see <i>In Interest of K.J.B.</i> , 342 P.3d 597 (Colo. App. 2014))		also entitled to appeal	- make a record that the treatment plan will address all issues - use the basis of the admission as a negotiation tool (e.g. injurious environment vs. no fault) - be wary of the impact of no fault admissions on potential compliance	requires a hearing to enter adjudication (revoke the deferred adjudication) or to dismiss the petition	facts establishing prima facie jurisdiction must be admitted
mediation first				factual basis - use as a tool in negotiations - may waive it - remember to reserve the right to treat all issues	may have <b>one</b> additional extension of 6 months; <b><i>no other extensions are allowed</i></b>	the terms of the informal adjustment should be in writing, and signed by all parties
review petition need for amendment?					use as a tool during the case	six month time frame
pretrial motions, voir dire, peremptory challenges, jury instructions				invoke C.R.S. 19-3-207	adjudication is required for allocation of parental responsibilities	
Theme						