

STATE OF COLORADO
4th Judicial District
EL PASO COUNTY COMBINED COURTS

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Filing an Out of State/Foreign Protection Order
Colorado Revised Statute §13-14-110: Foreign Protection Orders.

- (1) **Definitions.** As used in this section, “foreign protection order” means any protection or restraining order, injunction, or other order issued for the purpose of preventing violent or threatening acts or harassment against, or contact or communication with or physical proximity to, another person, including temporary or final orders, other than child support or custody orders, issued by a civil or criminal court of another state, an Indian tribe, or a United States territory or commonwealth.
- (2) **Full faith and credit.** Courts of this state shall accord full faith and credit to a foreign protection order as if the order were an order of this state, notwithstanding section 14-11-101, C.R.S., and article 53 of this title, if the order meets all of the following conditions: (a) The foreign protection order was obtained after providing the person against whom the protection order was sought reasonable notice and an opportunity to be heard sufficient to protect his or her due process rights. If the foreign protection order is an ex parte injunction or order, the person against whom it was obtained must have been given notice and an opportunity to be heard within a reasonable time after the order was issued sufficient to protect his or her due process rights. (b) The court that issued the order had jurisdiction over the parties and over the subject matter; and (c) The order complies with section 13-14-106 (3).
- (3) **Process.** A person entitled to protection under a foreign protection order may, but is not required to, file such order in the district or county court by filing with such court a certified copy of such order, which must be entered into the central registry of protection orders created in section 18-6-803.7, C.R.S. The certified order must be accompanied by an affidavit in which the protected person affirms to the best of his or her knowledge that the order has not been changed or modified since it was issued. There shall be no filing fee charged. It is the responsibility of the protected person to notify the court if the protection order is subsequently modified.
- (4) **Enforcement.** Filing of the foreign protection order in the central registry or otherwise domesticating or registering the order pursuant to article 53 of this title or section 14-11-101, C.R.S., is not a prerequisite to enforcement of the foreign protection order. A peace officer shall presume the validity of, and enforce in accordance with the provisions of this article, a foreign protection order that appears to be an authentic court order that has been provided to the peace officer by any source. If the protected party does not have a copy of the foreign protection order on his or her person and the peace officer determines that a protection order exists through the central registry, the national crime information center as described in 28 U.S.C. sec. 534, or through communication with appropriate authorities, the peace officer shall enforce the order. A peace officer may rely upon the statement of any person protected by a foreign protection order that it remains in effect. A peace officer who is acting in good faith when enforcing a foreign protection order is not civilly liable or criminally liable pursuant to section 18-6-803.5 (5), C.R.S.

Source: L. 2013: Entire section added with relocations, (HB 13-1259), ch. 218, p. 1015, § 16, effective July 1

REGISTRATION REQUIREMENTS IF PROTECTION ORDER IS PERMANENT

Filing fee is not required.

- **Certified copy of the foreign Protection Order** obtained from the Court that originally issued the Order.
 - The Judicial Officers signature SHALL appear on the Order.
 - The Order SHALL be clear on *if or when* the Protection Order expires.
 - The name of the protected party SHALL be the same party requesting to register the Protection Order in Colorado.
 - Proof of original service is required- The Order SHALL indicate that the restrained party was either *PRESENT* in Court and notified of the terms of the Order, *OR* the protected person SHALL provide a copy of the completed proof of service form (sometimes referred to as an affidavit of service).
 - FCF 100 Order Re Request to Register a Foreign Protection Order
- **Affidavit for Registration of Foreign Protection Order (FCF 11)-** SHALL be filed by the protected party affirming that the Order has *NOT* changed or been modified since it was issued.
- **Information Sheet (JDF 442)-** SHALL be filed by the protected party to show demographic information of both protected and restrained parties in order for case to be created in Colorado.

REGISTRATION REQUIREMENTS IF PROTECTION ORDER IS TEMPORARY

Filing fee is not required.

- **Certified copy of the foreign Protection Order** obtained from the Court that originally issued the Order.
 - The Judicial Officers signature SHALL appear on the Order.
 - The Order SHALL be clear on *if or when* the Protection Order expires (typically this is the next court date issued by the originating state).
 - The name of the protected party SHALL be the same party requesting to register the Protection Order in Colorado.
 - Proof of original service is required- The Order SHALL indicate that the restrained party was either *PRESENT* in Court *AND* notified of the terms of the Order, *OR* the protected person SHALL provide a copy of the completed proof of service form (sometimes referred to as an affidavit of service).
 - A copy of the complaint that was used to request the Temporary Protection Order SHALL be filed with this Court.
 - If the protected party files an *amended complaint*, the Court SHALL require this to be served upon the restrained party with a copy of a new Temporary Protection Order showing the next court date for this Court.
 - FCF 100 Order Re Request to Register a Foreign Protection Order
- **Affidavit for Registration of Foreign Protection Order (FCF 11)-** SHALL be filed by the protected party affirming that the Order has *NOT* changed or been modified since it was issued.
- **Information Sheet (JDF 442)-** SHALL be filed by the protected party to show demographic information of both protected and restrained parties in order for case to be created in Colorado.
- **Upon creation of the case**, the Court SHALL issue an Order listing the next court date and requiring a copy of the newly created Temporary Protection Order and any other applicable documents to be *RE-SERVED* upon the restrained party by the protected party to ensure that they are aware of the upcoming court date. Proof of Service of this upcoming court date, and the required documents, will be **REQUIRED** by this Court.

AFFIDAVIT FOR REGISTRATION OF FOREIGN PROTECTION ORDER

- 6. Other:**

FCF 11 R07/2018 Affidavit for Registration of Foreign Protection Order

Case Name _____ v. _____

Case Number: _____

Information Sheet for Registering a Protection Order
Complete this form and attach it to the Verified Complaint for Protection Order Form JDF 402.
Complete and accurate information is critical for the enforcement of a Protection Order.

If this form is incomplete, information may not be posted at Colorado Bureau of Investigation (CBI) for Law Enforcement officials to access and your protection order may not be properly enforced.

Information about You (The Protected Party)

Full Name: _____ Date of Birth: _____

Physical description: Gender: ☐ Male ☐ Female Race: _____

Height: _____ Weight: _____ Hair Color: _____ Eye Color: _____

Complete Home Address: _____ Apt. #: _____

City: _____ State: _____ Zip Code: _____

Telephone #'s: Home: _____ Work: _____ Cell: _____

Identify relationship between you and the Restrained Party:

- ☐ Spouse ☐ Former Spouse ☐ Both parties are parents of the child(ren).
☐ Current co-habitants ☐ Former co-habitants ☐ Restrained Party is a parent of the child(ren).
☐ Partner in a Civil Union ☐ Former Partner in a Civil Union ☐ Other _____
☐ Parties have been or are involved in an intimate relationship for _____ months.

Other persons to be protected: (i.e. children)

Full Name of Protected Party	Sex	Race	Date of Birth

Information about Party to be Restrained

Full Name: _____ Date of Birth: _____

If you do not know the date of birth, enter approximate age: _____

Physical description: Gender: ☐ Male ☐ Female Race: _____

Height: _____ Weight: _____ Hair Color: _____ Eye Color: _____

Complete Home Address: _____ Apt. #: _____

City: _____ State: _____ Zip Code: _____

Telephone #'s: Home: _____ Work: _____ Cell: _____

☐ Check only if applicable. The restrained party goes by another name, please list all aliases below.

Name: _____

Name: _____

Date: _____

Signature: _____

