

# ALLOCATION OF PARENTAL RESPONSIBILITIES (CUSTODY) TO GRANDPARENT(S)

## General Information

PLEADINGS/ACTIONS	JDF #	ADDITIONAL INFORMATION
Purchase packet from Clerk of Court's Office or download from Judicial website.		Packet price <b>\$5.50</b> at the court OR free at: <a href="http://www.courts.state.co.us">www.courts.state.co.us</a> ➡ Self Help/ Forms ➡ All Court Forms & Instructions ➡ Divorce & Family Matters ➡ Child Custody
<b>Filing Fee</b>		<b>\$222.00</b>
<ul style="list-style-type: none"> <li>A Petition may be filed by a person other than a parent who has physical care of the children <b><u>for a period of six months or more consecutively</u></b> (one after another) if such action is started within six months of physical care ending.</li> <li><b>OR</b></li> <li>By a person other than a parent who files in the county where the children permanently live or are found, <b><u>but only if they are not in physical care of one of the children's parents.</u></b></li> </ul>		The Children must reside in Colorado for a minimum of six months (182 days) prior to the filing date or since their birth if under six months of age.
The case must be filed in the county where the child permanently lives or is found		
An automatic temporary injunction will be in effect upon filing of the case, upon service of the Petition and Summons on the respondent parents, or upon the signing of a Waiver and Acceptance of Service by the respondent parents.		<ul style="list-style-type: none"> <li>The temporary injunction remains in effect until a Final Order is entered or by further Court Order</li> <li><b>Purpose:</b> to prevent a party from disturbing the peace of another party, removing minor children from the state without consent of all parties or court order, and from canceling or changing any insurance; including life insurance that names any party as a beneficiary</li> </ul>
<b>STEP 1: Complete Initial Forms</b>		
Complete the forms listed below:		<b>All sections must be complete including the caption at the top of each form.</b> If something does not apply use N/A.
Case Information Sheet	1000	Complete sign and date the form
Petition for Allocation of Parental Responsibilities to Grandparent(s)	1703	Complete sign and date the form
Summons to Respond to Petition for Allocation of Parental Responsibilities	1414	Complete <b><u>only</u></b> the caption area at the top of all three pages of the form (Summons, Waiver, and Return of Service).
Make three copies of the above listed forms: (1) A copy for you (2) A copy for the child's mother (3) A copy for the child's father.		Bring the original and all copies with you to the Court for filing.
<b>STEP 2: File with the Court</b>		

*July 31, 2018, these instructions are informational only and do not constitute legal advice. There may be exceptions to the information provided on this form. If you choose to represent yourself, you are bound by the same rules and procedures as attorneys.*

File the Initial Forms (listed above) and pay the <b>\$222.00</b> filing fee.		File your forms at the Clerk of Court's Office.
Clerk will assign a case number to your filing.		Example: 2018 DR50000
Clerk will issue (sign & date) the summons.	1414	
Clerk will issue a Case Management Order.		Order provides a date and time to appear at the Initial Status Conference (you must appear). Review for additional information and requirements regarding your case.
<b>STEP 3: Serving the Respondent Parents</b>		
Serve the <u>Petition</u> , <u>Case Information Sheet</u> , <u>Summons</u> , and the <u>Case Management Order</u> on both parents of the child and file the <u>Return of Service</u> with the Court.	1000 1703 1414 1414(b)	<ul style="list-style-type: none"> <li>Personal Service must be done either by the Sheriff's Department, process server, or someone 18 years of age or older who is not a party to the case and who knows the rules of service</li> <li>There is a fee for service by the Sheriff or process server</li> <li>Once parents have been served, file the Return of Service with the Court</li> </ul>
Waiver of Service	1414(a) Page 3	If the parent(s) are willing to sign the Wavier of Service ( <b>signature must witnessed by a Court Clerk or Notary Public</b> ) then personal service is not required.
Service by Publication <ul style="list-style-type: none"> <li>Instructions</li> <li>Motion for Publication of Summons or Certified Mail or Publication by Consolidated Notice</li> <li>Order for Publication</li> </ul>	1300 1301 1302	If you do not know where the respondent parent(s) lives or works, you can file a motion requesting the Court to serve the Summons by publication. <b>You must make diligent (hard and persistent) efforts to locate the other party before selecting this option for service.</b> <ol style="list-style-type: none"> <li>Complete all sections of the motion including the caption.</li> <li>Complete caption only of the Order.</li> </ol>
<b>STEP 4: Preparation for Case Management Conference</b>		
Complete the following form before the scheduled Case Management Conference. <b>All paragraphs and sections must be complete, including the caption at the top of each form.</b> If something does not apply use N/A. <b><u>Provide a copy to each parent.</u></b>		Bring the completed forms to Case Management Conference.
Parenting Plan	1113	<ul style="list-style-type: none"> <li>The party or parties in the case need to complete information relating to parenting time, decision making responsibilities, holidays, relocation, child support, medical insurance, and tax exemption.</li> <li>Certificate of Service needs to be completed</li> </ul>