

District Court _____ County, Colorado Court Address:	
In re the Marriage of: Petitioner: and Co-Petitioner/Respondent:	▲ COURT USE ONLY ▲
Attorney or Party Without Attorney (Name and Address):	Case Number:
Phone Number: _____ E-mail: _____ FAX Number: _____ Atty. Reg. #: _____	Division _____ Courtroom _____
AFFIDAVIT FOR DECREE WITHOUT APPEARANCE OF PARTIES (MARRIAGE)	

Please complete the appropriate information in Numbers 1 – 7 prior to filing with the Court.

The Petitioner and/or Co-Petitioner/Respondent files this Affidavit in support of a request for issuance of a Decree of Dissolution of Marriage or a Decree of Legal Separation without appearance of the parties.

- The Petition for Dissolution of Marriage/Petition for Legal Separation was filed on _____ (date). On that date, Petitioner and/or Co-Petitioner/Respondent _____ (name) had been domiciled in Colorado for more than 91 days immediately before the Petition for Dissolution of Marriage/Petition for Legal Separation was filed.
- The Petition and Summons were served by: **(check one)**
 - A Co-Petitioner filing. (When both parties sign the Petition – JDF 1101)
 - Personal service (service by Return of Service/Affidavit of Service) on _____ (date).
 - Waiver of service (Respondent signs Waiver to accept service) signed on _____ (date).
 - Publication/Certified Mail (**Note:** Service by either of these methods is only allowed by Court Order.)
The publication occurred on _____ (date) **OR** the return receipt for Certified Mail was signed by the Respondent on _____ (date).
- There are no minor child(ren) and a party to the marriage is not presently expecting a child.**
Or
 There are minor child(ren) and each party is represented by counsel. The parties have completed a Parenting Plan that provides for the allocation of parental responsibilities (decision-making responsibilities and parenting time) and have reached an agreement with respect to child support, and medical/dental insurance of the child(ren) of the marriage. The Parenting Plan is in the best interests of the child(ren). **(The Parenting Plan must be filed with the Court.)**
- Check only one.**
 - The parties have signed a written Separation Agreement.** The parties have completed a Separation Agreement that provides for the division of all marital property and marital debts, and addresses spousal support/maintenance. The parties agree that the Separation Agreement is fair and not unconscionable
Or
 There is no marital property to be divided and there are no marital debts and neither party requests spousal support/maintenance.
- Petitioner Co-Petitioner/Respondent acknowledge(s) that they have reviewed the maintenance guidelines contained in §14-10-114, C.R.S.
- The parties agree that there are no genuine issues of material fact and the marriage is irretrievably broken.

7. The Petitioner Co-Petitioner/Respondent wishes to have the prior full name of _____ restored. The restoration of the prior name will not defraud any creditors or injure third parties.

8. Other:

The Petitioner and/or Co-Petitioner/Respondent request that the attached Decree of Dissolution of Marriage/Decree of Legal Separation be entered after the statutory waiting period has elapsed.

By checking this box, I am acknowledging I am filling in the blanks and not changing anything else on the form.

By checking this box, I am acknowledging that I have made a change to the original content of this form. (Checking this box requires you to remove JDF number and copyright at the bottom of the form.)

VERIFICATION AND ACKNOWLEDGEMENT

I swear/affirm under oath that I have read the foregoing Affidavit and that the statements set forth therein are true and correct to the best of my knowledge.

Petitioner:

Signature _____ Date _____

Address _____

City _____ State _____ Zip Code _____

Home Phone # _____ Cell # _____

Attorney Signature, if any _____

Co-Petitioner Respondent (check one):

Signature _____ Date _____

Address _____

City _____ State _____ Zip Code _____

Home Phone # _____ Cell # _____

Attorney Signature, if any _____

Subscribed and affirmed, or sworn to before me
in the County of _____,
State of _____, this _____
day of _____, 20 _____.
My Commission Expires: _____

Notary Public/Clerk

Subscribed and affirmed, or sworn to before me
in the County of _____,
State of _____, this _____
day of _____, 20 _____.
My Commission Expires: _____

Notary Public/Clerk

CERTIFICATE OF SERVICE

(If only one party signs this Affidavit, you must complete the Certificate of Service below.)

I certify that on _____ (date) a true and accurate copy of the **AFFIDAVIT FOR DECREE WITHOUT APPEARANCE OF PARTIES (MARRIAGE)** was served on the other party by:

Hand Delivery, E-filed, Faxed to this number _____, or

by placing it in the United States mail, postage pre-paid, and addressed to the following:

To: _____

(Your signature)