

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. **(The Separation Agreement must be signed and notarized by both parties and filed with the Court.)**
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)