

INSTRUCTIONS TO DISCONTINUE SEX OFFENDER REGISTRATION FOR A COLORADO AND NON-COLORADO CONVICTION

These standard instructions are for informational purposes only and do not constitute legal advice about your case. If you choose to represent yourself, you are bound by the same rules and procedures as an attorney.

GENERAL INFORMATION BEFORE YOU FILE YOUR PETITION

- ◆ Prior to filing a Petition to Discontinue Sex Offender Registration (Colorado or non-Colorado conviction), pursuant to §16-22-113, C.R.S., the Petitioner must notify certain agencies of his/her intent to file a Petition by using **JDF 472**.
- ◆ The notification is done through an intent document that must be mailed by certified mail to each of the following: law enforcement agencies with which the Petitioner is required to register, the prosecuting attorney for the jurisdiction in which such law enforcement is located, and the prosecuting attorney who obtained the conviction requiring the registration.
- ◆ When the Petition is filed, you shall attach to the Petition return receipts from each party who was notified with the intent form.
- ◆ The Petition is to be filed in the case in which you entered a guilty plea for a Colorado Court conviction that requires you to register.
- ◆ If the conviction that requires you to register was not obtained from a Colorado Court, you may file a civil case with the District Court in the County where you reside and pay the appropriate filing fee.
- ◆ To determine if you are eligible to petition the Court, review the sentencing documents along with §16-22-113, C.R.S. to determine if the offense constitutes a felony or misdemeanor.
- ◆ For additional information, please review §16-22-113, C.R.S.
- ◆ If you have a disability and need a reasonable accommodation to access the courts, please contact your local ADA Coordinator. Contact information can be obtained from the following website:
http://www.courts.state.co.us/Administration/HR/ADA/Coordinator_List.cfm

COMMON TERMS

- ☒ Petition: Document that officially commences the “Discontinue to Register” process.
- ☒ Petitioner: The person filing a Petition to Discontinue Sex Offender Registration.
- ☒ May: In legal terms, “may” is defined as “optional” or “can”.
- ☒ Shall: In legal terms, “shall” is defined as “required”.

If you do not understand this information, please contact an attorney.

FEES

- ✓ **No filing fee is required** if you are filing a Petition from a Colorado conviction that requires you to register.
- ✓ A \$224.00 filing fee if you are filing a Petition from another state that requires you to register.

If you are unable to pay, you must complete the Motion to File without Payment and Supporting Financial Affidavit (JDF 205) and submit it to the Court. Once you submit the completed JDF 205 form and a blank Order (JDF 206), the Court will decide if you need to pay the filing fee.

Other fees that a party to the case may encounter are as follows:

- Copies of Documents (Documents on File) \$.75 per page or \$1.50 if double-sided
- Copies of Documents (Documents not on File) \$.25 per page or \$.75 if double-sided
- Certification Fee \$20.00

FORMS

To access a form online go to www.courts.state.co.us and click on the “Forms” tab. Forms are available in PDF or WORD, under the Criminal section by selecting “Discontinue Sex Offender Registration” - Colorado Conviction or Non-Colorado Conviction. Forms are available in two sets: one if you have a Colorado conviction or a conviction from another state. You may complete the forms online or you may print them and type or print legibly in black ink.

Forms needed for a Colorado conviction that requires you to register.

- JDF 461 Petition to Discontinue Sex Offender Registration
- JDF 462 Notice of Hearing on Petition
- JDF 463 Order to Discontinue Sex Offender Registration
- JDF 472 Pre-Petition Notice of Intent to Discontinue Sex Offender Registration
- JDF 479 Certificate of Mailing (Discontinue Sex Offender Registration)

Forms needed for a non-Colorado conviction that requires you to register.

- JDF 472 Pre-Petition Notice of Intent to Discontinue Sex Offender Registration
- JDF 473 Petition to Discontinue Sex Offender Registration
- JDF 474 Notice of Hearing on Petition
- JDF 475 Order to Discontinue Sex Offender Registration
- JDF 479 Certificate of Mailing (Discontinue Sex Offender Registration)

You must notify law enforcement agencies with which you are required to register, the prosecuting attorney for the jurisdiction in which such law enforcement is located, and the prosecuting attorney who obtained the conviction requiring the registration before you file your Petition.

Step 1: Complete the applicable forms whether you are filing to discontinue registration for a Colorado or a non-Colorado conviction.

- Petition to Discontinue Sex Offender Registration - Colorado conviction (JDF 461) OR Petition to Discontinue Sex Offender Registration - non-Colorado conviction (JDF 473).**
 - Complete all sections on the applicable Petition.
 - Attach to the Petition the Pre-Petition Notice of Intent to Discontinue Sex Offender Registration (JDF 472) along with the returned receipts from each party notified.
 - Sign the Petition in the presence of a Court Clerk or Notary Public.
- Notice of Hearing on Petition - Colorado conviction (JDF 462) OR Notice of Hearing on Petition - non-Colorado conviction (JDF 474).**
 - Complete the caption only on the applicable Notice. The Court will complete the remaining portion of the Notice of Hearing.
 - Send the Petition and Notice of Hearing to the Prosecuting Attorney who obtained the conviction and to the Prosecuting Attorney for the jurisdiction where registration is required and where law enforcement is located.
 - Complete the Certificate of Mailing (JDF 479) and attach the return receipts/certified mailer for the Prosecuting Attorney’s Office(s).
 - The Certificate of Mailing (JDF 479) must be filed with the Court on or before the date of the hearing.

Order to Discontinue Sex Offender Registration - Colorado conviction (JDF 463) OR Order to Discontinue Sex Offender Registration - non-Colorado conviction (JDF 475).

- Complete the caption only on the applicable Order. The Court will complete the applicable sections following the hearing.

Step 2: File Documents with the Court.

- Check with the Court to determine if they require all completed forms at the time of filing and if they have any additional filing requirements.
- You have the return receipts from each party who was notified with the Pre-Petition of Intent to Discontinue Sex Offender Registration (JDF 472). The return receipts should be attached to JDF 472.
- You have completed the appropriate forms identified in Step 1, based on your individual circumstances. You are now ready to file your case with the Court.
- Pay the filing fee, if applicable.
- Provide a self-addressed stamped envelope for the Court to mail the Notice of Hearing.

Step 3: Be prepared for your Hearing.

- File on or before the hearing date a completed Certificate of Mailing (JDF 479) along with the return receipts/certified mailer for the Prosecuting Attorney's Office.
- You may be asked questions about your request to discontinue registering as a sex offender.
- You may need the necessary documentation or testimony at the hearing to support your request.
- The Order granting or denying your request may be signed at the end of the hearing.

Step 4: After the Hearing.

- If the Court enters an order discontinuing your duty to register, it is your responsibility to provide a copy of the Order to each local law enforcement agency listed in the Petition and to the Colorado Bureau of Investigation at 690 Kipling Street, Suite 315, Lakewood, CO 80215.
- The Court will provide one certified copy of the Order at no cost. Contact the clerk's office if you need additional copies. You are responsible to pay for any additional copies.
- The Court will notify each victim in writing of its decision either to continue or discontinue the Petitioner's duty to register, if the victim has requested notification.