

INSTRUCTIONS FOR A NON-EXPEDITED RELINQUISHMENT

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

- ◆ The Petitioner must be 18 years of age or older.
- ◆ Your case should be filed in the county where you reside or where the child resides. If a child placement agency is involved, the case may be filed in the county where the child placement agency is located.
- ◆ A final order by the court removes the relinquishing parent or parents of all legal rights and obligations they may have with respect to the child relinquished. It does not modify the child's status as an heir at law, which stops only upon a final decree of adoption.
- ◆ For additional information, please review §§19-5-100.2. – 19-5-203 of the Colorado Revised Statutes.
- ◆ 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

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| ⊗ Petition: | Document officially commences the Relinquishment process. |
| ⊗ Petitioner: | The person or persons filing a Petition for Relinquishment. |
| ⊗ Respondent: | The person who files a response to the Petition for Relinquishment. |
| ⊗ Service of Process: | The official means by which a party is notified that a document has been filed against him/her and provided a copy of the document and a description of the person's rights and obligations as a party to the case. |
| ⊗ Diligent Efforts: | Efforts to locate an individual to complete personal service; including contacting friends, family, business associates; completing an internet search; and attempting personal service by a process server, police department or sheriff's office. |
| ⊗ Hearing Date: | The date that the Petitioner, Co-Petitioner/Respondent and child must appear in Court. |
| ⊗ Return Date: | The date by which the Respondent must file his/her answer (listed on the Notice). |
| ⊗ Relinquishment: | Voluntary consent to the termination of one's parental rights. It is also called "Voluntary Termination of Parental Rights" |
| ⊗ 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. Other fees that a party to the case may encounter are as follows:

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| <input type="checkbox"/> Copy of Documents | \$.75 per page |
| <input type="checkbox"/> Certification Fee | \$20.00 per document |

FORMS

To access a form online go to www.courts.state.co.us and click on the "Forms" tab. The packet/forms are available in PDF or WORD by selecting "Juvenile – Relinquishment – Non-Expedited". You may complete a form online or you print it and type or print legibly in black ink. **You may need all or some of these forms. Read these instructions carefully to determine what forms you may need.**

- | | |
|----------------------------------|---|
| <input type="checkbox"/> JDF 452 | Petition for Relinquishment |
| <input type="checkbox"/> JDF 453 | Affidavit of Relinquishment Counseling |
| <input type="checkbox"/> JDF 484 | Affidavit of Diligent Efforts for Relinquishment |
| <input type="checkbox"/> JDF 485 | Motion for Publication of Notice |
| <input type="checkbox"/> JDF 487 | Order for Publication of Relinquishment |
| <input type="checkbox"/> JDF 488 | Order for Relinquishment |
| <input type="checkbox"/> JDF 490 | Notice to Terminate Parent-Child Legal Relationship |
| <input type="checkbox"/> JDF 512 | Relinquishment Interrogatory – Father |
| <input type="checkbox"/> JDF 513 | Relinquishment Interrogatory – Mother |
| <input type="checkbox"/> JDF 520 | Petition to Terminate the Parent-Child Legal Relationship |

ADDITIONAL DOCUMENTS

These documents may be also be required by the court so make sure you have them available.

- Birth Certificate or copy of application for birth certificate
- Relinquishment Counseling Report
- Disclosure statement for any payments received including the source of the payment
- Adoptive Family Assessment
- Social/medical Histories

STEPS TO FILING YOUR CASE

Step 1: Complete appropriate forms.

Please refer to the list of required forms above to determine which forms must be submitted when filing your case based on your individual circumstances. The caption below needs to be completed on all adoption JDF forms submitted to the Court.

<input type="checkbox"/> District Court <input type="checkbox"/> Denver Juvenile Court _____ County, Colorado	
Court Address: _____	
In the Matter of the Petition of: _____ Mother and	

_____ Father <input type="checkbox"/> Adjudicated <input type="checkbox"/> Alleged <input type="checkbox"/> Presumed <input type="checkbox"/> Petitioner <input type="checkbox"/> Co-Petitioner For the Relinquishment of a Child _____ (child's name)	▲ COURT USE ONLY ▲
Attorney or Party Without Attorney (Name and Address): Print your name and address here if you are representing yourself. Phone Number: _____ E-mail: _____ FAX Number: _____ Atty. Reg. #: _____	Case Number: _____ Division _____ Courtroom _____
NAME OF FORM	

Petition for Relinquishment (JDF 452):

- Please complete all sections on this form.
- The Petition can be completed by either parent or can be completed by both parents.
- Attach a copy of the birth certificate or a copy of the application.
- The Petition must be signed in the presence of a Court Clerk or Notary Public.

Affidavit of Relinquishment Counseling (JDF 453):

- Please complete all sections on this form.
- Each parent will need to complete this form, if applicable.
- The Affidavit must be signed in the presence of a Court Clerk of Notary Public.

Relinquishment Interrogatory – Father (JDF 512) and/or Relinquishment Interrogatory – Mother (JDF 513): The questions on this form may be asked at the hearing.

- Please complete all sections on the appropriate form.
- The form must be signed in the presence of a Court Clerk of Notary Public.

Petition to Terminate the Parent-Child Legal Relationship (JDF 520):

If only one parent is filing the Petition to Relinquish (JDF 452), or the other parent refuses to come to court or cannot be identified, Colorado law allows the Petitioner to file a Petition to Terminate Parent-Child Legal Relationship. By filing this Petition and upon an Order by the Court to Terminate the Parent-Child Legal Relationship, the child will be available for adoption.

- If applicable, please complete all sections.
- The form must be signed in the presence of a Court Clerk of Notary Public.

Step 2: File documents with the Court.

Provide the Court with the Petition and applicable forms as identified in Step 1. If any of the forms have not been signed in the presence of a Notary Public, you will sign the Petition and other documents before the Clerk at this time. 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.

Step 3: Serve the Documents Identified in Step 1 only if both parents did not file as Petitioner/Co-Petitioner.

It is important that you have the other parent served as quickly as possible. Service options:

Personal Service:

- Select the Sheriff's Department, a private process server, or someone you know over the age of 18 who is not involved in the case, and who knows the rules of service to serve the Respondent.
- Provide the process server with the Petition and other documents.
- The process server will need to return the completed return of service to the Court for filing, or return it to you to bring and file with the Court.

Service by Mail or Publication:

If you do not know where the other parent is or who the other parent is, you will need to use this method of service and should file these forms with the Court as soon as possible. You must make diligent efforts to locate the other parent before selecting this option for service.

Affidavit of Diligent Efforts for Relinquishment (JDF 484).

- Complete all sections and please do not alter this form as the Court must have complete information regarding efforts made to locate the other parent.
- Identify in your own words, stating the last known address and/or any efforts made to contact or locate the other birth parent. Keep return receipts, registered mail slips, and any returned mail you might have. This documentation should be attached to your Affidavit.

Motion for Publication of Notice (JDF 485).

- Complete all sections on this form.

Order for Publication of Relinquishment (JDF 487).

- Complete caption only on this form.
- Provide pre-addressed stamped envelopes for you and the other parent at his/her last known address.

Note: Once you receive the Order for Publication, it is your responsibility to provide the appropriate newspaper agency with a copy of the Order of Publication and the Notice to Terminate Parent-Child Legal Relationship. Service by publication will be in a newspaper published in the county where the action is filed or as ordered by the Court. You are responsible for all publication costs.

Once publication of the Notice to Terminate has been completed, the newspaper agency will provide you with a clipping of the publication along with an Affidavit of Publication. **It is your responsibility to provide this information to the Court. This proof is necessary for the relinquishment hearing to proceed.**

Step 4: Be prepared for your Relinquishment Hearing.

Submit the following forms to the Clerk prior to the hearing, unless submitted to the Court at the time of filing. The documents will be signed at the end of the hearing.

Final Order of Relinquishment (JDF 488).

- Complete caption only on this form.