

INSTRUCTIONS FOR ACCESS TO JUVENILE PERSONAL RECORDS FOR A FORMER WARD OF THE STATE OF COLORADO HOME FOR DEPENDENT AND NEGLECTED CHILDREN

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.

Juvenile personal records are **CONFIDENTIAL** from the general public. A “juvenile personal record” includes the following information related to the custody, relinquishment, or adoption of a former ward.

- ◆ Original birth certificate and amended birth certificate of a former ward
- ◆ Final decree of adoption
- ◆ Final order of relinquishment
- ◆ Order of termination of parental rights
- ◆ Temporary waiver of custody
- ◆ Name of former ward before placement in adoption
- ◆ Name and address of each birth parent as they appear in the birth records or other documents, including other information that might personally identify a birth parent
- ◆ Name and address of each adoptive parent
- ◆ Physical description of the birth parents
- ◆ Educational background of the birth parents
- ◆ Occupation of the birth parents
- ◆ Genetic information about the birth family
- ◆ Medical information about the former ward’s birth
- ◆ Social information about the birth parents
- ◆ Whether the former ward has siblings or half-siblings, and, if so, the names and addresses of the siblings and half-siblings
- ◆ Placement history of former ward

Upon request, information in a juvenile personal record related to a former ward of the State of Colorado Home for Dependent and Neglected Children shall be made available **ONLY** to the following individuals.

1. The former ward
2. A spouse or partner in a civil union of the former ward
3. An adult descendant of the former ward
4. An adult sibling or half-sibling of the former ward
5. The legal representative of any individual mentioned in numbers 1 – 4
AND the legal representative has notarized written consent from the former ward or proof that the former ward is deceased;

- ◆ If you are not one of the individuals listed above, the court **MAY** still allow you to have access to the juvenile personal records **ONLY** if you can demonstrate to the court that there is good reason to allow you to have access to the records. The court will make this decision based on the information you provide (see §19-1-309, C.R.S.).
- ◆ You should file your request to access juvenile records (see Form [JDF 534](#)) in the county where the custody, relinquishment, or adoption was located in the existing case. You may have to contact the Colorado Department of Human Services to determine in which county court records may be located.

The Colorado Department of Human Services handles requests related to records for the State of Colorado Home for Dependent and Neglected Children. They may be reached at (303)866-3228. The home was also known as the Colorado State Children’s Home and the Colorado Youth Center and was in operation March 1896 through July 1971.

- ◆ Adoptees of Native American Ancestry may seek access to records under the provision of the Indian Child Welfare Act (See sections 1917 and 1951): http://www.nicwa.org/Indian_Child_Welfare_Act/

ACCESS TO THE ORIGINAL BIRTH CERTIFICATE OR TO A DEATH CERTIFICATE

- ◆ If you are the birth parent and you relinquished (gave up) your child for adoption, you may apply to the State Registrar at the Colorado Department of Public Health and Environment (CDPHE) – Vital Records Division for a non-certified copy of the child’s original birth certificate **IF**:
 - Your name is on the original birth certificate **OR** you signed the original birth certificate; **AND**
 - The child was born in Colorado **OR** the adoption was finalized in Colorado

- NOTE:** You may not receive a copy of the child’s original birth certificate if your parental rights were terminated as a result of a dependency and neglect case.

- ◆ If you are a sibling or half-sibling of an adult adoptee with at least one common birth parent you may request from the State Registrar a noncertified copy of the unaltered original birth certificate and the amended birth certificate of an adult sibling or half sibling who was born, relinquished, or adopted in the State of Colorado.

- ◆ If you are a birth parent, you may ask the State Registrar to search for a death certificate to determine whether a former ward or birth parent is deceased. There may be a fee for this service.

- ◆ To access the forms to apply to the State Registrar for a copy of the birth certificate or to request a death certificate visit <https://www.colorado.gov/pacific/cdphe/categories/services-and-information/birth-death-and-other-vital-records>. The State Registrar may be reached by phone at 303-692-2200.

ADDITIONAL INFORMATION

- ◆ For additional information, please review §19-5-305.5, 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

- | | |
|---|---|
| <ul style="list-style-type: none">⊗ Requestor:⊗ Former Ward:
⊗ Adoptee:
⊗ Adoptive Parent(s):
⊗ May:⊗ Shall: | <p>The person filing a Request to Access the Juvenile Personal Record.</p> <p>A person who as a minor child was in the custody of the State of Colorado Home for Dependent and Neglected Children, regardless of the person’s adoption status</p> <p>A person, who as a minor, was adopted pursuant to a final decree of adoption.</p> <p>An adult who has become a parent of a minor through the legal process of adoption.</p> <p>In legal terms, “may” is defined as “optional” or “can.”</p> <p>In legal terms, “shall” is defined as “required.”</p> |
|---|---|

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

FEES

There is no filing fee. Other fees that a party to the case may encounter are as follows:

- | | |
|--|--|
| <ul style="list-style-type: none"><input type="checkbox"/> Research Fees<input type="checkbox"/> Copy of Documents<input type="checkbox"/> Certification Fee<input type="checkbox"/> Record Retrieval Fee | <p>Pursuant to Chief Justice Directive 06-01</p> <p>Pursuant to Chief Justice Directive 06-01</p> <p>\$20.00 per document</p> <p>Pursuant to Chief Justice Directive 06-01</p> |
|--|--|

- Fee to return documents by certified mail, Restricted delivery Varies depending on number of documents sent

FORMS

To access a form online go to www.courts.state.co.us and click on the “**Self-Help/Forms tab.**” The request form is available in PDF by selecting **All Court Forms and Instructions - Adoption – Access to Adoption Records.** You may complete a form online or print it and type or print legibly in black ink. Read these instructions carefully to determine what forms you may need.

- JDF 534 Request for Access to Juvenile Personal Records
- JDF 535 Order for Good Cause re: Access to Juvenile Personal Records

STEPS TO FILING YOUR CASE:

Step 1: **Complete Forms.**

- Request for Access to Juvenile Personal Records (JDF 534):**
 - Complete all applicable sections on this form.
 - If you are making your request by mail, you must sign JDF 534 in front of a Notary Public. If you are making your request in person, you do not need to sign in front of a Notary Public.
- Order for Good Cause re: Access to Juvenile Personal Records (JDF 535):**

Note: This form is **only** required if you filled out paragraph #4 of JDF 534 (Request for Access to Juvenile Personal Records).

 - Only submit the Order form if you are requesting access to a juvenile personal record for good cause pursuant to section 19-1-309, C.R.S.
 - The Court upon their review of the Request will complete the Order as appropriate.

Step 2: **File the Request Form in the county where the relinquishment, custody, or adoption was finalized.**

- File the Request form.
- File the Order form **ONLY** if you filled out paragraph #4 of JDF 534 (Request for Access to Juvenile Personal Records).
- Check with the Court regarding the cost to locate, retrieve, copy, and mail your juvenile personal records.

Step 3: **Provide the court with proof of identification and documents establishing how you are related to the former ward of the State of Colorado Home for Dependent and Neglected Children.**

The court must take steps to ensure that it is providing direct access to the juvenile personal records **ONLY** to persons who are authorized by law to see them. When you request access to a juvenile personal record, the court will ask you for identification. The court will also ask you for documents that establish how you are related to the former ward. Ask the court for more details or [click here](#) for a list of acceptable forms of identification and documents to establish how you are related to the former ward.

If you are making your request by mail, please send copies of these documents to the court for review. Do not send originals. The court will destroy the copies after the information is reviewed. If you send an original document, you will pay for the cost to return the originals by certified mail restricted delivery to ensure that these documents are delivered only to you.

Step 4: **Response to Your Request**

- Direct Access to Juvenile Personal Records:** After you file your Request form (JDF 534) and provide identification and establish relationship as described in Step 3 above, the clerk will verify that you are a person who is permitted direct access to the juvenile personal records. Once the clerk verifies that you can access the records, he/she will locate the juvenile personal records. Once the records are located and available, you will have the option to come to the court to inspect and/or copy the records or to have the

records mailed to you by certified mail restricted delivery to ensure that the records are delivered only to you. Please let the court know your preference. Requests submitted by mail will be answered by certified mail restricted delivery.

In addition to other applicable costs and fees, you will be responsible for the cost of having the documents delivered by certified mail restricted delivery. Contact the court for instructions on how to submit payment.

If you prefer to inspect the records in person, check with the court to determine when you can expect to receive notification that the records are ready for inspection.

- Good Cause Determinations:** If you are not an eligible party for direct access to the juvenile personal records under the statute and you have asked the court to allow you to see the records based on “good cause” (by filing JDF 534 and JDF 535), the judge will need to decide whether to allow you access to the juvenile personal records based on the information you provide. The court may set a hearing before a decision is made. You will need to be prepared to attend this hearing.