

# INSTRUCTIONS TO REGISTER OUT OF STATE GUARDIANSHIP OR CONSERVATORSHIP ORDERS FOR ADULT IN COLORADO

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 you would be if you were an attorney.

## GENERAL INFORMATION

- ◆ These instructions and forms can be used if you are an out-of-state guardian or conservator, and you want to register your out-of-state orders here in Colorado for the purpose of completing specific tasks relating to the guardianship and conservatorship in Colorado. These forms are NOT used for transferring the entire guardianship or conservatorship to Colorado. If you are trying to completely transfer a guardianship or conservatorship from out of state to Colorado (because, for example, the Ward/Protected Person will be moving to Colorado permanently), please refer to the forms and instructions for accepting an adult guardianship or conservatorship from the sending state or click here: [http://www.courts.state.co.us/Forms/Forms\\_List.cfm?Form\\_Type\\_ID=165](http://www.courts.state.co.us/Forms/Forms_List.cfm?Form_Type_ID=165).
- ◆ The registration may be filed by the out-of-state guardian or conservator.
- ◆ The registration of an out-of-state guardianship may be filed in any appropriate county in Colorado. The registration of an out-of-state conservatorship may be filed in any Colorado county in which property belonging to the Protected Person is located.
- ◆ You MAY NOT register an out-of-state order in Colorado if there is a pending petition for guardianship, conservatorship, or other protective orders in Colorado.
- ◆ Prior to registering your out-of-state order(s) in Colorado, you must first give notice to the out-of-state court of your intent to register the order(s) in Colorado.
- ◆ Along with the registration form, you must attach certified copies of the out-of-state court's order appointing you as guardian or conservator, letters of office or other documents evidencing your authority as guardian or conservator, and any bond.
- ◆ Once an out-of-state order is registered in Colorado, it is enforceable in Colorado, but cannot be modified in Colorado. Out-of-state orders can only be modified in the state where issued.
- ◆ The process described in these instructions can only be used for adult guardianship or conservatorship cases. Out-of-state orders related to a guardianship or conservatorship for a minor cannot be registered in Colorado.
- ◆ For additional information, please review §15-14.5-401, §15-14.5-402, and §15-14.5-403, 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](http://www.courts.state.co.us/Administration/HR/ADA/Coordinator_List.cfm)

## COMMON TERMS

- ☒ Guardian: A person at least 21, resident or non-resident, who has qualified as a Guardian of an incapacitated person based on an appointment by the Court.
- ☒ Conservator: A person at least 21, resident or non-resident, who has been appointed to manage the financial affairs of another person.
- ☒ Letters: Formal notice identifying the authority of the Guardian and/or Conservator.
- ☒ Order: Official document identifying the authority of the Guardian and/or Conservator of his/her responsibilities during the Guardianship and/or Conservatorship.

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

## FEES

A \$166.00 filing fee is required. 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 whether you need to pay the filing fee.

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

- Certification of documents \$ 20.00
- Copy of Documents \$ .75 per page

## FORMS

To access a form online go to [www.courts.state.co.us](http://www.courts.state.co.us) and click on the “Self-Help/Forms” tab, then click on “All Court Forms and Instructions”. The packet/forms are available in PDF or WORD by selecting **Guardian & Conservator - New Case – Ancillary Guardianship Forms or Ancillary Conservatorship Forms.**

**Read these instructions carefully to determine what forms you may need, as you may need all or some of the listed forms. Check with the Court where you plan to file your case to determine if they have any special requirements.**

- JDF 891 Registration & Recognition of Protective Orders From Other States & Sworn Statement – Conservatorship for Adult
- JDF 892 Certificate of Registration & Recognition of Protective Orders From Other States – Conservatorship for Adult
- JDF 893 Registration & Recognition of Guardianship Orders From Other States & Sworn Statement – Guardianship for Adult
- JDF 894 Certificate of Registration & Recognition of Guardianship Orders From Other States – Guardianship for Adult

## STEPS TO FILING YOUR CASE

### Step 1: Complete Forms.

Prior to completing the forms for registering your out-of-state guardianship or conservatorship orders in Colorado, you **must** have first given notice to the out-of-state court of your intent to register those orders in Colorado. **Be prepared to provide the court in Colorado with proof that you gave notice to the out-of-state court.**

<input type="checkbox"/> District Court <input type="checkbox"/> Denver Probate Court _____ County, Colorado Court Address:		<b>▲ COURT USE ONLY ▲</b>
<b>In the Interest of:</b>  <b>Ward/Protected Person</b>		
Attorney or Party Without Attorney (Name and Address):  Phone Number:                      Email: FAX Number:                         Atty. Reg. #:		Case Number:  Division: Courtroom:
<b>NAME OF FORM</b>		

- Registration & Recognition of Protective Orders From Other States & Sworn Statement – Conservatorship for Adult (JDF 891)**
  - The Petitioner must complete **all** applicable sections on the form.

- Attach to the Petition, certified copies of the out-of-state court's order appointing you as conservator, letters of office or other documents evidencing your authority as conservator, and any bond.
- Certificate of Registration & Recognition of Protective Orders From Other States – Conservatorship for Adult (JDF 892)**
  - Complete only the caption on the form.
  - The Court will complete the remainder of the form and sign it following review of the documents filed.
- Registration & Recognition of Guardianship Orders From Other States & Sworn Statement – Guardianship for Adult (JDF 893)**
  - The Petitioner must complete **all** applicable sections on the form.
  - Attach to the Petition, certified copies of the out-of-state court's order appointing you as guardian, letters of office or other documents evidencing your authority as guardian, and any bond.
- Certificate of Registration & Recognition of Guardianship Orders From Other States – Guardianship for Adult (JDF 894)**
  - Complete only the caption on the form.
  - The Court will complete the remainder of the form and sign it following review of the documents filed.

**Step 2: File your Documents with the Court.**

Provide the Court with the documents completed as described in **Step 1** above and pay the filing fee of \$166.00. The Court will issue a case number and will enter such on the documents.