

Guide to Annulment

Who is this for?

This process invalidates your marriage or civil union for a specific legal reason. And:

- One party must have lived in Colorado for at least **30 days** before you may file.
- If you have children, they must have lived in Colorado for at least **182 days** or since birth if under six months old.
- Please let the court know if you need an interpreter.

When will the Annulment occur?



If the Petition is granted, the annulment will go into effect on the date you entered the marriage or civil union.

Can we get help to solve our disagreements?

The State Office of Dispute Resolution helps spouses to resolve issues between themselves. [www.ColoradoODR.org]

Can I change my mind about the case?

Yes. But if you change your mind and both parties want to stop the annulment, notify the court immediately. If you do not, you could get automatically divorced! To inform us, fill out and file form JDF 1305 - *Stipulated Motion to Dismiss*.

**The information on this page is legal information.
For legal advice, talk to a lawyer.**

Do I *have to* have a lawyer?



You do not *have to* have a lawyer, but you must follow the same rules and procedures that lawyers follow. You may contact a lawyer at any time.

When can we get an annulment over a divorce?

There are **specific grounds** when an annulment can occur. Those include when one or both of the parties:

- Lacked the ability to consent.
- Were underage.
- Were under duress.
- Entered as a joke or dare.
- Entered when it was prohibited by law, including when:
 - One was already married or in a civil union.
 - They are too closely related to each other.

For a complete list of grounds, see Colorado Revised Statute (C.R.S.) section (§) 14-10-111.

Need Disability Accommodations?



Contact your local courthouse's ADA Coordinator.

Forms to File

① Fill out court forms



The process is more straightforward if you and your spouse sign the petition together.

Fill out these forms:

- JDF 1000 Case Information Sheet.
- JDF 1041 Petition.
- JDF 1042 Summons. (skip if you sign the petition together)

Where do I get court forms?

Go to: www.courts.state.co.us/Forms/family

Keep copies of all forms you file with the court for your records.

② File Your Forms

- File online at www.jbits.courts.state.co.us/efiling
- Or, submit your completed forms to the Court Clerk in the county where you or your spouse lives.
- Pay the filing fee.
- If you cannot afford the fee, also file:
 - JDF 205 – Motion, and
 - JDF 206 – Order (*Just the caption*)
- You will be scheduled for an Initial Status Conference within 42 days of filing.
- Procedural Orders will be given to you or mailed depending on the local court process.



③ Service

- Skip this step if you sign the petition together.
- Review JDF 1099 for how to serve your spouse.

④ Response

- Skip this step if you sign the petition together.
- Respondent does form JDF 1045 – Response.
- See Step 2 to file.
- eServe or mail a copy to the Petitioner.

⑤ Complete and File these forms:

Deadline Warning!

Within **42 days** after filing or receiving the Petition, each spouse must file:

- JDF 1111 Sworn Financial Statement
- JDF 1104 Certificate of Compliance

Other Forms to File:

- JDF 1115 Property and Financial Agreement
This form shows the court how you plan to divide your property and handle spousal support (if any). Parties submit one document signed together. If you cannot agree, mediation may be ordered.
- JDF 1117 Support Order (*Just the caption*)
- JDF 1049 Decree (*Just the caption*)
This is your final order. Once the court signs it, the divorce is final.

If you have children, also file:

- JDF 1113 Parenting Plan
Parties submit one document signed together. If you cannot agree, mediation may be ordered.
- Child Support Worksheet
Child Support Calculator found at: www.courts.state.co.us/Forms/family

⑥ Court Hearing



There will be a court hearing if agreements are not reached. The Court may order mediation before a hearing is scheduled.