



How to Guide to Custody (APR) Cases

1. Basic Information

- Formally called an Allocation of Parental Responsibilities (APR) case.
- This process creates a parenting plan. A parenting plan contains the parenting time schedule, a decision-making plan, and sets the child support.
- The case can be started by a parent; or by someone who has had physical care of the children for at least six months and if the action is started within six months of that physical care ending.
- The children must reside in Colorado for at least six months (or since birth if they are under six months old).
- File the case in the county where the children reside.
- This case isn't for everyone. See [*JDF 1500 – How to Establish Someone as a Parent*](#); [*JDF 1100 – Divorce with Kids \(marriage\)*](#); or [*JDF 1267 – Divorce with Kids \(civil union\)*](#) to see if those situations apply.
- The law that directs this process is C.R.S. § 14-10-124 and C.R.C.P. 16.2.

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2. Step-by-Step Guide

Terms defined on [page 5](#).

Step 1 – Start the Case

(Petitioners)

- 1) Complete the starting paperwork.
 - [JDF 1000](#) – Case Information Sheet.
 - Petition for Custody / APR. Use:
 - [JDF 1413](#) for Parents and all others.
 - [JDF 1703](#) for Grandparents.
 - [JDF 1414](#) – Summons. (Just do the **case caption**.)
 - Note:** Form not needed if the parties are filing jointly.
- 2) File the starting paperwork with the Court.
File online at: www.jbits.courts.state.co.us/efiling, or file in-person.
- 3) Pay the filing fee. See [Fees on page 5](#) for details.
- 4) The clerk will assign a case number, complete the Summons, and may set a date for the Initial Status Conference.
- 5) Review the Court’s Case Management Order for additional steps.

Step 2 – Formal Notification & Delivery

(Petitioners)

If you don’t file jointly, you must formally notify the **respondents** that you started a case.

Formal Notification | Personal Service

- 1) Give the starting paperwork to a **process server**.
 - Someone must formally give a copy of the paperwork to each of the **Respondents**.
 - You cannot be the one who completes service.

- Contact the Sheriff's office in the county where the Respondents live or work. Or,
- Hire a professional **process server**.

- 2) The **process server** completes [JDF 1414\(b\)](#) - Return of Service.
- 3) File the Return of Service with the court.

Waiver of Service

- 1) The Respondent can waive being formally notified.
- 2) The **Respondents** complete [JDF 1414\(a\)](#) - Waiver of Service.
- 3) File the Waiver of Service with the court.

Service by Publication

- 1) If you can't find the **Respondents**, the Court may allow you other methods of service.
- 2) Review [JDF 1300](#) – Instructions for Service by Publication

Step 3 – Response

(Respondents)

- 1) Fill out [JDF 1420](#) – Response to the Petition.
- 2) File with the Court.
File online at: www.jbits.courts.state.co.us/efiling, or file in-person.
- 3) Pay the filing fee. See [Fees on page 5](#) for details.
- 4) Give a copy to the **Petitioner**.

Step 4 – Initial Status Conference

(All Parties)

Within 42 days of starting the case, the parties will attend an Initial Status Conference.

- 1) Complete this paperwork before the conference.

[JDF 1125](#) – Mandatory Disclosures.

Note: Do not file the documents identified in the form with the Court.

[JDF 1104](#) – Certificate of Compliance (*Financial Disclosures*)

[JDF 1111 SC](#) – Sworn Financial Statement.

2) Attend the Initial Status Conference.

3) Review your notes from the conference for next steps. This may include:

Filing [JDF 1113](#) – Parenting Plan.

Attending a parenting education class.

Attending **mediation**.

Calculate child support:

www.courts.state.co.us/Forms/Forms_List.cfm?Form_Type_ID=94

Filing [JDF 1117](#) – Support Order. (Just do the **case caption**.)

Filing [JDF 1422](#) – Order for Custody. (Just do the **case caption**.)

Step 5 – Temporary Orders (*Optional*)

(All Parties)

When you meet for the Initial Status Conference discuss if you need more immediate, but temporary orders to get you through till the final hearing.

Step 6 – Final Hearing

(All Parties)

1) File [JDF 1129](#) - Pretrial Statement before the hearing.

2) A short conference before the final hearing is required if both parties are representing themselves.

3) The Court will issue final written orders after the hearing.

Note: Be sure to update your address in writing with the court if you have moved since your initial filing.

3. Common Terms

Petitioner	The person that starts the case.
Co-Petitioner	When filing jointly, the other party filing the Petition.
Respondent	The party responding to the case.
Case Caption	The boxes at the top of the form. It contains the court's address, parties' names, the filer's contact information, and the case number.
Parental Responsibilities	Also known as Custody, this term includes both parenting time and decision-making responsibilities regarding the children.
Process Server	Someone (not you) who delivers court paperwork. This service of process lets a person know they are officially part of the case and the next steps they need to take.
Mediation	A confidential process whereby a trained neutral third-party assists disputing parties to reach their own solution.

4. Fees

Starting Fees*

Petitioners - \$222.

Respondents - \$116.

E-filing fee per submission (*can include multiple forms*) - \$12

Note: The fee to e-file can't be waived at this time.

* To Request a [Fee Waiver](#) for the starting fees, file in-person and submit:

[JDF 205 - Motion to Waive Fees.](#)

[JDF 206 - Order.](#) (Just do the **case caption**.)

5. Forms *(In numerical order)*

www.courts.state.co.us/Forms/family

JDF 1000	Case Information Sheet
JDF 1104	Certificate of Compliance (Financial Disclosures)
JDF 1111	Sworn Financial Statement
JDF 1113	Parenting Plan
JDF 1117	Support Order
JDF 1125	Mandatory Disclosure - Form 35.1
JDF 1129	Pretrial Statement
JDF 1273	Parenting Plan
JDF 1413	Petition for APR <i>(use JDF 1703 for Grandparents)</i>
JDF 1414	Summons
JDF 1414(a)	Waiver and Acceptance of Service
JDF 1414(b)	Return of Service
JDF 1420	Response to Petition
JDF 1422	Order for Allocation of Parental Responsibilities
JDF 1703	Petition for APR <i>(for Grandparents)</i>

6. ADA Information

For reasonable accommodations under the Americans with Disabilities act contact the court's ADA coordinator:

www.courts.state.co.us/Administration/HR/ADA/Coordinator_List.cfm

7. Legal Advisory

These are basic instructions for informational purposes only. They do not constitute legal advice. If you choose to represent yourself, you are bound by the same rules and process as a lawyer. If you do not understand this information, please contact a lawyer.