



# INSTRUCTIONS FOR FILING A PETITION FOR REVIEW OF MAGISTRATE ORDER

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

- ❖ A Petition for Review is not a new hearing, but an opportunity to request the District Court to review a final order from proceedings in a domestic or juvenile case based upon law, if a party believes that the judgment is in error.
- ❖ This Petition for Review of Magistrate Order should not be used to correct a clerical error. For clerical errors, please review Colorado Rules of Civil Procedure 60(a).
- ❖ Neither party is present for a Petition for Review; it is a paper review by the District Court Reviewing Judge.
- ❖ You may not file any new evidence or subpoena witnesses for a Petition for Review.
- ❖ A Petition for Review can be filed by either party if they believe that the judgment/order entered was in error.
- ❖ For additional information, please review Rule 7 of the Colorado Rules for Magistrates.

## COMMON TERMS

- ⊛ **Magistrate**: Any person other than a judge authorized by statute or by the Rules to enter orders or judgments in judicial proceedings.
- ⊛ **Reviewing Judge**: A judge designated by a chief judge or a presiding judge to review the orders or judgments of magistrates in proceedings to which the Rules for Magistrates apply.
- ⊛ **Order or Judgment**: All final rulings, decrees or other decisions of a magistrate made in the course of judicial proceedings.

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

## STEPS TO FILING YOUR PETITION FOR REVIEW

### **Complete Form.**

Selecting these instructions indicates that you plan to file a petition for review of a magistrate's order.

You must identify yourself as the Petitioner or Co-petitioner/Respondent depending on your "title/role" in the original domestic or juvenile case. It is important to remember that your "title/role" in the case does not change based on who files the appeal.

The caption below must be completed on all forms filed. Forms must be filled out completely.

**Be sure to make a copy for your own records of all forms you file with the Court.**

Jefferson Combined Court, State of Colorado 100 Jefferson County Parkway, Golden, CO 80401		<b>FOR COURT USE ONLY</b>
Petitioner: <b>NAME</b> v.		
Co-Petitioner/Respondent(s): <b>NAME</b>		<b>Case Number:</b>
Attorney or <b>Party Without Attorney (Name and Address):</b>  <b>Enter your name and address here</b>		
Phone Number:	E-mail:	
FAX Number:	Atty. Reg. #:	
<b>PETITION FOR REVIEW OF MAGISTRATE ORDER</b>		

### PETITION FOR REVIEW

- This Petition must be filed with the District Court within 21 days of the entry of the final judgment.
- Complete the Petition providing the specific authorities relied upon to support your Petition.
- Complete the Certificate of Service

<b>CERTIFICATE OF SERVICE</b>	
I certify that on _____ (date) a true and accurate copy of this Petition for Review of Magistrates Order was served on the other party by:	
<input type="checkbox"/> Hand Delivery, or <input type="checkbox"/> Faxed to this number _____ or	
<input type="checkbox"/> by placing it in the United States mail, postage pre-paid, and addressed to the following:	
To: _____ <b>Name of other party</b> _____	
_____ <b>Complete address</b> _____	
_____	
_____ <b>(Your Signature)</b>	

- File the original with District Court.
- Make copies: one to provide to all of the party's and one for your records.

### DISTRICT COURT REVIEW

Once all of the timeframes have passed for filing a response to the Petition for Review, the District Court will review the case file and transcript. **No new hearing will be held.**

- ★ The District Court will enter a written ruling.
- ★ You and the other party will receive a copy of the written ruling.