



ALLOCATION OF PARENTAL RESPONSIBILITIES (CUSTODY)

General Information

PLEADINGS/ACTIONS	JDF #	ADDITIONAL INFORMATION
Purchase packet from Clerk of Court's office or download from Judicial website.		Packet price \$8.25 at the court OR free at: www.courts.state.co.us → Self Help/ Forms → All Court Forms and Instructions → Divorce, Family Matters, Civil Unions → Child Custody
Filing Fee		\$222.00
A. A custody action can be filed individually (by one parent) as the Petitioner and the other parent as the Respondent, OR B. A custody action can be filed jointly (together) as Petitioner and Co-Petitioner.	 	A. You must have the Respondent served through a third-party. B. No service is needed or required.
Children must live in Colorado for a <u>minimum of six months</u> or <u>since birth if less than six months</u> of age before a custody action can be filed.		You must file your case in the county where the children live.
An automatic temporary injunction (temporary order) will be in effect upon filing of the case if both parties (Petitioner and Respondent) file together, upon service of the Petition and Summons on the Respondent if not filing together, or upon the signing of a Waiver and Acceptance of Service by the Respondent.		<ul style="list-style-type: none"> The temporary injunction will be in effect until a Final Order is entered or until further Court Order. Purpose: To prevent one parent from disturbing the other parent, removing minor children from the state without consent of both parents or by court order, and from cancelling or changing any health insurance or life insurance that provides coverage to the minor children as a beneficiary of a policy.
STEP 1: Complete Initial Forms		
Complete the following forms.		<ul style="list-style-type: none"> All sections must be complete including the caption at the top of each form. If something does not apply use N/A.
Case Information Sheet	1000	<ul style="list-style-type: none"> Complete, sign and date the form.
Petition for Allocation of Parental Responsibilities	1413	<ul style="list-style-type: none"> Complete, sign and date the form.
Summons for Dissolution of Marriage or Legal Separation, Waiver of Service, and Return of Service (This form is to be completed only if not filing jointly.)	1414 1414(a) 1414(b)	<ul style="list-style-type: none"> Complete only the caption area at the top of all three pages of the form (Summons, Waiver, and Return of Service).
Make two copies of the above listed forms: (1) A copy for you (2) A copy for your spouse		<ul style="list-style-type: none"> Bring the original and both copies with you to the court for filing.
STEP 2: File with the Court		
File the Initial Forms (from page 1) and pay the \$222.00 filing fee.		File your forms at the Clerk of Court's Office.
Clerk will assign a case number to your filing.		Example: 2018DR50000
Clerk will issue (sign & date) the summons for Petition for Allocation of Parental Responsibilities. (This form is to be completed only if not filing together.)	1414	Complete only the caption area at the top of all three pages of the form (Summons, Waiver, and Return of Service).
STEP 3: Serving the Respondent		
Serve the <u>Petition</u> , <u>Case Information Sheet</u> , <u>Summons</u> , and the <u>Case Management Order</u> to the Respondent Parent. File the <u>Return of Service</u> with the Court. This process is only necessary if you are not filing together.	1000 1413 1414 1414(b)	<ul style="list-style-type: none"> Personal Service must be done either by the Sheriff's department, process server, or someone 18 years of age or older who is not a party to the case and who knows the rules of service. There is a fee for service by the Sheriff or process server. Once your spouse has been served, file the Return of Service with the Court.
Waiver of Service	1414(a)	If the Respondent Parent is willing to sign the Waiver of Service (signature must be notarized) then personal service is not required.
Service by Mail or Publication <ul style="list-style-type: none"> Instructions Motion for Publication of Summons or Certified Mail or Publication by Consolidated Notice Order for Publication 	1300 1301 1302	If you do not know where the respondent lives or works, you can file a motion requesting the Court to serve the Summons by publication. You must make diligent (hard and persistent) efforts to locate the other party (previous employer, family, friends, internet search, phone book, etc.) before selecting this option for service. <ol style="list-style-type: none"> Complete all sections of the motion including the caption. Complete caption only on the order.

March 23, 2018, these instructions are informational only and do not constitute legal advice. There may be exceptions to the information provided on this form. If you choose to represent yourself, you are bound by the same rules and procedures as attorneys.

STEP 4: Prepare for Case Management Conference

Complete the following forms before the scheduled Case Management Conference. All paragraphs and sections must be complete, including the caption at the top of each form. If something does not apply use N/A. <u>Provide a copy of each form to the Respondent</u>		<ul style="list-style-type: none"> Bring all completed forms to Case Management Conference. Bring (3) of your most current paystubs or most current notice showing income for SS, SSI, etc.
Certificate of Compliance with Mandatory Financial Disclosures <ul style="list-style-type: none"> Refer to the Mandatory Disclosures form (JDF 1125), for a reference on financial documents required to be sent to the other parent 	1104	<ul style="list-style-type: none"> Mark the box (<input checked="" type="checkbox"/>) next to the item(s) you provided to the Respondent. Sign and date the form. Complete the Certificate of Service. File ONLY the Sworn Financial Statement with the Court.
Sworn Financial Statement	1111	<ul style="list-style-type: none"> Enter all information related to your income, deductions, monthly expenses, unsecured debts, and assets. You must calculate each section and place totals in the appropriate locations on the form.
Separation Agreement	1115	<ul style="list-style-type: none"> The assets and liabilities listed on this form should match the Sworn Financial Statement.
Parenting Plan	1113	<ul style="list-style-type: none"> Parents need to complete information relating to parenting time, decision making responsibilities, holidays, relocation, child support, medical insurance, and tax exemption (who will claim the children on taxes). If <u>only one parent is completing</u>, complete the Certificate of Service.
Child Support Worksheet <ul style="list-style-type: none"> You will need the following to calculate child support: <ul style="list-style-type: none"> Income for both parties Spousal support information (receiving or paying), if any. Child support paid for children NOT of this marriage, if any. Child care expenses (while parents are working or attending school only). Medical premiums or expenses. Other expenses agreed to by parents or by court order. Number of overnights child will spend with each parent. 		<ul style="list-style-type: none"> Download the child support software (Family Law Software) by going to the web page and following these directions; www.courts.state.co.us → Self Help/ Forms → All Court Forms and Instructions → Divorce, Family Matters, Civil Unions → Child Custody → AT top of page, click on: DOWNLOAD THE CALCULATOR HERE If you do not have access to a computer and/or internet you can visit the Self-Help Center for assistance or visit your local library.