

OBTAINING A CIVIL PROTECTION ORDER

General Information

PLEADINGS/ACTIONS	JDF #	ADDITIONAL INFORMATION
A forms packet is available from Clerk of Court's office or you can download the forms from the Judicial website.		Packet Price: Free www.courts.state.co.us → Self-Help/ Forms → All Court Forms and Instructions → Protection Orders
Filing Fee		\$85.00 unless otherwise determined by the court that there would be no fee. Fee determination: <ul style="list-style-type: none"> Relationship (partner, blood relative, neighbor, co-worker, etc.) Circumstances of victim requesting protection order
A temporary or permanent civil protection Order may be issued against an adult or a child who is ten years of age or older.		
A protection order forbids the restrained party from: <ul style="list-style-type: none"> contacting, injuring, harassing, threatening, stalking, entering or remaining in the home; or coming within a close distance to the protected person or premises, taking, transferring, concealing, harming, disposing of, or threatening harm to any animal owned, possessed, leased, kept, or held by the protected person 		
Where to file		You can file in the county where: <ul style="list-style-type: none"> You or the other person live or work In the county where the events have occurred
If you are requesting a protection order against more than one person, you must file a separate protection order for each individual person.		
If you are also requesting custody of minor children you will need to file a District Court divorce or custody case.		Review Instructions for: <ul style="list-style-type: none"> Petition for Allocation of Parental Responsibilities (Custody), JDF 1413I OR <ul style="list-style-type: none"> Petition for Dissolution of Marriage (Divorce) JDF 1099
Step 1 – Complete Forms		
Complete all sections including caption (box at top of each form). If something does not apply use N/A.		<ul style="list-style-type: none"> You are the Petitioner/Protected person The person you are filing the protection order against is the Respondent/Restrained person
Verified Complaint/Motion for Protection Order	402	<ul style="list-style-type: none"> Be specific and provide complete information If also requesting protection for your children, include their information in section 3 of the Complaint/Motion. <u>You can only include children under the age of 18</u> If you want to have your address left out, check box # 6 Complete the verification on the last page: Date, month, year, city and state signing, and sign the form (Signature does not need to be notarized)
Affidavit regarding Children	404	<ul style="list-style-type: none"> Complete this form only if you and the other party have biological or adopted children together Complete the verification on the last page: Date, month, year, city and state signing, and sign the form (Signature does not need to be notarized)
Information Sheet for Registering a Protection Order	442	<ul style="list-style-type: none"> Complete and provide information for all parties If information such as SS# or DOB is unknown, write unknown If you are requesting protection for your children, include their information in the section designated. <u>Only children under the age of 18 can be included.</u> Adult children must file their own protection order

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. Updated 9/10/20.

Incident Checklist	401	<ul style="list-style-type: none"> Provide any and all information relating to the type of abuse that occurred in your situation in the appropriate areas Sign and date the form
File the forms listed above and pay the \$85.00 filing fee if required.		<p>File at the Clerk of Court's Office.</p> <ul style="list-style-type: none"> If you file your case by 10:00 am, your case will be put on the protection order docket at 1:15 pm that same day If you file your case after 10:00 am, your case will be put on the 1:15 pm docket the following business day
STEP 3: Temporary Protection Order Hearing		
<p>Attend your scheduled hearing and be prepared to give testimony as to the events that have occurred.</p> <p>If the Temporary Protection Order is granted, you will be provided with a written Order. This Order will have the date and time of your permanent orders hearing. You MUST attend all hearings or your protection order will be dismissed.</p> <p>Read the instruction sheet and your Order completely as these documents contain very important information.</p>		<ul style="list-style-type: none"> If you were awarded temporary custody of the minor children or if the restrained person is ordered to have no contact with the minor children, you may need a copy of the Order for your children's school and/or daycare provider Carry a copy of the Protection Order and Affidavit of Service at all times. Proof of service is necessary to prove the protection order was served and is in effect. See Step 4
STEP 4: Complete Personal Service		
<p>Serve the <u>Complaint/ Motion</u> and <u>Temporary Protection Order</u> to the Restrained Person.</p> <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 	402	<ul style="list-style-type: none"> Once the Restrained Person has been served, file the Affidavit of Service with the court and keep a copy for yourself. REMEMBER, keep a copy of the Affidavit of Service and Protection Order with you at all times
STEP 5: Permanent Orders Hearing		
<p>Appear at the permanent orders hearing on the date and time provided in the Temporary Protection Order you received at your first hearing.</p> <p>Be prepared to provide testimony, evidence, and witnesses that can testify as to the events.</p> <p>Evidence can be such things as a police report, pictures, printed text messages, etc.</p> <p>You may want to view the video on how to prepare for hearing and presenting evidence. www.coloradolegalhelpcenter.us</p> <ul style="list-style-type: none"> Help with my Legal Issue Types of Legal Issues Protective Orders Get a Protective Order Step 5 - How to Prepare for the Hearing 		<ul style="list-style-type: none"> If the permanent protection order is granted you will be provided with a written Order If the restrained person attended the hearing they will be provided a copy of the Order and the Order will go into effect immediately If the restrained person did not attend the hearing, you will need to have them served in the same manner as you did for the Temporary Protection Order. See Step 4 above Keep a copy of the Order and Affidavit of Service with you at all times If the restrained person was ordered to have no contact with minor children, you may need copies for your children's school and/or daycare provider