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| District Court \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ County, Colorado  Court Address:  In re the Civil Union of:  Petitioner:  and  Co-Petitioner/Respondent: | **COURT USE ONLY** |
| Attorney or Party Without Attorney (Name and Address):  Phone Number: E-mail:  FAX Number: Atty. Reg. #: | Case Number:  Division Courtroom |
| **Affidavit for Decree Without Appearance of Parties (CIVIL UNION)** | |

**Please complete the appropriate information in Numbers 1 – 7 prior to filing with the Court.**

The Petitioner and/or Co-Petitioner/Respondent files this Affidavit in support of a request for issuance of a Decree of Dissolution of Civil Union or a Decree of Legal Separation of Civil Union without appearance of the parties.

1. The Petition for Dissolution of Civil Union/Petition for Legal Separation of Civil Union was filed on \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ (date). On that date, Petitioner and/or Co-Petitioner/Respondent \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ (name) had been domiciled in Colorado for more than 91 days immediately before the Petition for Dissolution of Civil Union/Petition for Legal Separation of Civil Union was filed

**OR**

Neither Petitioner nor Co-Petitioner/Respondent reside in the State of Colorado, however, the Civil Union was obtained in the State of Colorado.

1. The Petition and Summons were served by: **(check one)**

A Co-Petitioner filing. (When both parties sign the Petition – JDF 1250)

Personal service (service by Return of Service/Affidavit of Service) on \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ (date).

Waiver of service (Respondent signs Waiver to accept service) signed on \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ (date).

Publication/Certified Mail (**Note:** Service by either of these methods is only allowed by Court Order.)

The publication occurred on (date) **OR** the return receipt for Certified Mail was signed by the Respondent on (date).

1. **There are no minor child(ren) of the Civil Union and neither party is pregnant.**

**Or**

**There are minor child(ren) of the Civil Union and each party is represented by counsel**. The parties have completed a Parenting Plan that provides for the allocation of parental responsibilities (decision-making responsibilities and parenting time) and have reached an agreement with respect to child support, and medical/dental insurance of the child(ren) of the civil union. The Parenting Plan is in the best interests of the child(ren). ***(The Parenting Plan must be filed with the Court.)***

1. **Check only one.**

**The parties have signed a written Separation Agreement.** The parties have completed a Separation Agreement that provides for the division of all property and debts of the civil union, and addresses partner support/maintenance. The parties agree that the Separation Agreement is fair and not unconscionable. ***(The Separation Agreement must be signed and notarized by both parties and filed with the Court.)***

**Or**

**There is no property to be divided and there are no debt of this civil union and neither party requests partner support/maintenance.** 

1. Petitioner Co-Petitioner/Respondent acknowledge(s) that they have reviewed the maintenance guidelines contained in §14-10-114, C.R.S.
2. The parties agree that there are no genuine issues of material fact and the Civil Union is irretrievably broken.
3. The Petitioner Co-Petitioner/Respondent wishes to have the prior full name of \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ restored. The restoration of the prior name will not defraud any creditors or injure third parties.
4. Other:

The Petitioner and/or Co-Petitioner/Respondent request that the attached Decree of Dissolution of Civil Union/Decree of Legal Separation of Civil Union be entered after the statutory waiting period has elapsed.

 By checking this box, I am acknowledging I am filling in the blanks and not changing anything else on the form.

 By checking this box, I am acknowledging that I have made a change to the original content of this form.

**VERIFICATION**

**I declare under penalty of perjury under the law of Colorado that the foregoing is true and correct.**

Executed on the \_\_\_\_\_\_ day of \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_, \_\_\_\_\_\_\_, at \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

(date) (month) (year) (city or other location, and state OR country

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

(Printed name of Petitioner) Signature of Petitioner

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

City State Zip Code

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Home Phone Cell Phone

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Attorney Signature (if any)

**I declare under penalty of perjury under the law of Colorado that the foregoing is true and correct.**

Executed on the \_\_\_\_\_\_ day of \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_, \_\_\_\_\_\_\_, at \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

(date) (month) (year) (city or other location, and state OR country

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

(Printed name of Co-Petitioner/Respondent) Signature of Co-Petitioner/Respondent

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

City State Zip Code

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Home Phone Cell Phone

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Attorney Signature (if any)

**CERTIFICATE OF SERVICE**

**(If only one party signs this Affidavit, you must complete the Certificate of Service below.)**

I certify that on \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ (date) a true and accurate copy of the ***AFFIDAVIT FOR DECREE WITHOUT APPEARANCE OF PARTIES (CIVIL UNION)*** was served on the other party by:

Hand Delivery, E-filed,Faxed to this number \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_, **or**

by placing it in the United States mail, postage pre-paid, and addressed to the following:

To: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

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(Your signature)