District Court _____ County, Colorado
Court Address:

_____

In re the Marriage of:

Petitioner:

and

Co-Petitioner/Respondent:

▲ **COURT USE ONLY** ▲

Case Number:

Division   Courtroom

DECREE OF DECLARATION OF INVALIDITY OF MARRIAGE

This matter was reviewed by the Court on _____ (date).

Petitioner	❑**Co-Petitioner** ❑**Respondent**
❑Appeared in person	❑Appeared in person ❑Did not appear

❑Was represented by an attorney
   Attorney Name:
	❑Was represented by an attorney
	   Attorney Name:

The Court has examined the record and makes the following findings:

1. The Court has jurisdiction over the parties because:

❑The parties filed jointly on _____ (date).

❑The Respondent _____ (name) was served with a Summons on _____ (date) at _____ (location).

❑The Respondent signed a waiver on _____ (date).

❑Publication of the Summons occurred on _____ (date).

2. The ❑Petitioner ❑Co-Petitioner/Respondent had residence in Colorado for 30 days before this case was filed or ❑the parties were married in Colorado on _____ (date).

3. Grounds for the Declaration of Invalidity are as follows:

❑A party lacked capacity to consent to the marriage at the time the marriage was solemnized, either because of mental incapacity or infirmity or because of the influence of alcohol, drugs, or other incapacitating substances.

❑A party lacked the physical capacity to consummate the marriage by sexual intercourse, and the other party did not at the time the marriage was solemnized know of the incapacity.

❑A party was under the age as provided by law and did not have the consent of his parents or guardian or judicial approval as provided by law.

❑One party entered into the marriage in reliance upon a fraudulent act or representation of the other party, which fraudulent act or representation goes to the essence of the marriage.

❑One or both parties entered into the marriage under duress exercised by the other party or a third party, whether or not such other party knew of such exercise of duress.

❑One or both parties entered into the marriage as a jest or dare.

❑The marriage is prohibited by law, including the following:

  ❑A marriage entered into prior to the dissolution of an earlier marriage of one of the parties;

  ❑A marriage between an ancestor and a descendant or between a brother and a sister, whether the relationship is by the half or the whole blood;

  ❑A marriage between an uncle and a niece or between an aunt and a nephew, whether the relationship is by the half or the whole blood, except as to marriages permitted by the established customs of aboriginal cultures;

  ❑A marriage which was void by the law of the place where such marriage was contracted.

4. ❑The Separation Agreement between the parties is found to be not unconscionable as to support, maintenance, and division of property and debts, and is incorporated herein.

5. ❑All provisions in the Parenting Plan regarding the children are in the best interests of the children, including residence, allocation of parental responsibility (including decision-making responsibilities and parenting time), and any other orders necessary to effectuate the best interests of the children.

6. ❑The name change request is not detrimental to any person.

The Court Orders:

❑The marriage of the parties shall be declared invalid as of _____ (the date of the marriage).

❑Each party shall be ordered to pay his or her own attorney's fees and costs herein.

❑Each party shall perform all of the applicable provisions of the separation agreement or permanent orders.

  ❑The Separation Agreement filed on _____ (date) is incorporated into this Decree.
    or
  ❑Has been read into the record and will be reduced to writing and filed on or before _____ (date).

  ❑The Parenting Plan filed on _____ (date) is incorporated into this Decree.
    or

❏The Court has entered permanent orders, which will be reduced to writing and filed, on or before _____ (date).

or

❏It is in the best interests of the parties that the Court has entered a Decree, even though there are no permanent orders on this date.

or

❏Permanent orders are set forth below:

_____

_____

_____

_____

❏Any Support Order entered will become part of this Decree.

❏A Protection/Restraining Order was issued on _____ (date). The Protection/Restraining Order is:
  ❏Vacated.
  ❏Continued to _____ (date) pursuant to §13-14-102(9)(c), C.R.S.
    ❏No changes have been made to the existing Protection/Restraining Order
    ❏Changes have been made to the existing Protection/Restraining Order, as follows.

_____

_____

❏The _____ is granted a restoration of the prior name _____.

❏Other:

_____

_____

_____

Date: _____   _____
                                            ❏Judge ❏Magistrate