

INSTRUCTIONS TO REGISTER A CHILD-CUSTODY DETERMINATION

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

- ◆ This information provides a guide to the process and forms necessary to file/register a foreign child-custody determination in Colorado pursuant to §14-13-305, C.R.S.
- ◆ **DO NOT USE THESE INSTRUCTIONS if you wish to register/modify/enforce your foreign support order (§14-5-601 - 615, C.R.S.) or seek to register/modify a foreign decree not involving a child-custody determination (§14-11-101, C.R.S.)**
- ◆ Where to file the Petition to Register a Child-Custody Determination (referred to in these instructions as "Petition") depends on your personal circumstances. Normally, the Petition should be filed in the county/state where the Respondent resides or where the child is present or resides.
- ◆ Registration of a child-custody determination is the first step that is required prior to filing any motions to modify or enforce the decrees, judgments, and orders of the other state. Prior to filing any motions, you may wish to seek the advice of an attorney as these matters can be complicated.
- ◆ Be advised that the state of Colorado may or may not have appropriate jurisdiction to consider any motions to modify or enforce the decrees, judgments, and orders of the other state.
- ◆ If you have a disability and need a reasonable accommodation to access the courts, please contact your local ADA Coordinator. Contact information can be obtained from the following website:
http://www.courts.state.co.us/Administration/HR/ADA/Coordinator_List.cfm

COMMON TERMS

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| <input checked="" type="checkbox"/> Petitioner: | The person who initiated the legal action in the other state. |
| <input checked="" type="checkbox"/> Co-Petitioner/Respondent: | The person who was the other party to the out-of-state decree that is sought to be registered. |
| <input checked="" type="checkbox"/> Child-custody determination: | Means a judgment, decree, or other order of a court providing for the legal custody or physical custody of a child or allocating parental responsibilities with respect to a child or providing for visitation, parenting time, or grandparent visitation with respect to a child. See Section 14-13-102(3) C.R.S. |
| <input checked="" type="checkbox"/> Hearing Date: | The date that the Petitioner and Co-Petitioner/Respondent must appear in Court. |
| <input checked="" type="checkbox"/> Certified Copy: | Copy of a court document with court seals from the out-of-state Court verifying the authenticity of the document(s). |
| <input checked="" type="checkbox"/> May: | In legal terms, "may" is defined as "optional" or "can". |
| <input checked="" type="checkbox"/> Shall: | In legal terms, "shall" is defined as "required". |

If you do not understand this information, please contact an attorney. You may also contact the Family Court Facilitator at your local courthouse, if one is available in your Judicial District.

FEES

The filing fee is \$166.00. If you are unable to pay, you must complete the Motion to File without Payment and Supporting Financial Affidavit (JDF 205) and submit it to the Court. Once you submit the completed JDF 205 form and a blank Order (JDF 206), the Court will decide if you need to pay the filing fee.

Other fees that a party to the case may encounter are as follows:

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| <input type="checkbox"/> Response | \$146.00 |
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| <input type="checkbox"/> Fee when filing Motion to modify, amend or alter decree or order | \$105.00 |
| <input type="checkbox"/> Certification Fee | \$20.00 |
| <input type="checkbox"/> Copies of Documents (Documents not on File) | \$.25 per page or \$.50 if double -sided |

FORMS

To access a form online go to www.coloradojudicial.gov.

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|-----------------------------------|--|
| <input type="checkbox"/> JDF 1000 | Case Information Sheet |
| <input type="checkbox"/> JDF 1224 | Petition to Register a Foreign Child Custody Determination |
| <input type="checkbox"/> JDF 1225 | Proposed Order for Registration of Foreign Child-Custody Determination |
| <input type="checkbox"/> JDF 1226 | Notice of Request to Register Foreign Child-Custody Determination |

STEPS TO FILING YOUR CASE

Step 1: Obtain two copies, including one certified copy, of the child-custody determination sought to be registered from the case you wish to register in Colorado.

Keep a copy of all documents for your own records and make a copy to provide to the other party. A certified copy of a document/record will have a court seal stating that the document/record is a true and correct copy.

Step 2: Complete Forms.

The caption area below needs to be completed on all forms filed. **Keep a copy of each form for your own records and make a copy to provide to the other party.**

District Court _____ County, Colorado Court Address: _____ In re: <input type="checkbox"/> The Marriage of: <input type="checkbox"/> The Civil Union of: <input type="checkbox"/> Parental Responsibilities concerning: _____ Petitioner: and Co-Petitioner/Respondent: _____ Attorney or Party Without Attorney (Name and Address): _____ Phone Number: _____ E-mail: _____ FAX Number: _____ Atty. Reg. #: _____		<div style="text-align: center;">▲ COURT USE ONLY ▲</div>
Case Number: _____ Division _____ Courtroom _____		
(NAME OF FORM)		

Case Information Sheet (JDF 1000):

- ☐ Please complete all sections of this form.

Petition to Register a Child-Custody Determination:

- ☐ Please complete all sections of this form.
- ☐ Attach certified copies of all written court orders, judgments and decrees from the originating court.

Proposed Order for Registration of a Child Custody Determination:

- ☐ Complete the caption only on this form

- ☐ The Court will complete the remaining sections of this Order and give you and the other party a signed copy.

Notice of Request to Register Child Custody Determination

- ☐ Complete the caption, check the appropriate box, sign and date this form.

Step 3: You are ready to File your Case with the Court.

- ☐ Pay the filing fee of \$166.00
- ☐ Provide the Court with the Petition, Case Information Sheet, Proposed Order for Registration of Foreign Child-Custody Determination, Notice of Request to Register Foreign Decree and two copies, including one certified copy of all documents you wish to have registered and the Objection.
- ☐ The Court will mail a copy of the Notice of Request to Register Child Custody Determination together with the Objection to Petition to Register a Foreign Child Custody Determination to the other party or parties.

OTHER PARTY FILES A RESPONSE

The other party may file an Objection or other response to the Petition. The filing fee is \$146.00. The purpose of the Objection or other response is for the other party to state in writing if he/she agrees or disagrees with your request to register the foreign child-custody determination. All fees paid are non-refundable.

- ☐ The other party must file the original with the Court and mail a copy to the party who filed the Petition.
- ☐ The responding party has 21 days after the Court has sent out the Notice within which to file their Objection or response.

COURT REVIEW

The Court will review the documents. If an objection is filed, the Court may require a hearing to determine whether the decree or any orders should be registered.

Once a child-custody determination is registered, the Colorado Court may have the ability to enforce or modify the decrees, judgments, and orders if the Colorado Court has subject matter and personal jurisdiction. When filing a motion to modify, amend or alter a decree or order, a \$105.00 filing fee must be paid to the Court.

Please Note:

Properly registering a Child Custody Determination is a required step before a request can be made before a Colorado Judge to enforce or modify the prior state's orders, judgments, or decrees. However, the Colorado Court must be satisfied that due process has been afforded to the other party before an order can be enforced or modified. Please talk to an attorney to assist you in filing any motions to enforce or modify a registered foreign decree, judgment, or order.