



El Paso County Combined Court
4th Judicial District
270 S. Tejon St., Colorado Springs, CO 80903
Website: www.coloradojudicial.gov
Phone: 719-452-5000

Instructions for Petition for Underage Marriage

General Information

- A court order directing the county clerk and recorder to issue a marriage license and marriage certificate is required for parties 16 or 17 years of age, regardless of parental consent. Persons under the age of 16 years old are prohibited from obtaining a marriage license.
- The Court **shall** appoint a guardian ad litem (GAL) for the underage party(ies) and direct the GAL to investigate and file a report with the court stating a position as to whether the issuance of a marriage license to the underage party would serve their best interest. The report must address the following factors:
 - The wishes of the underage party(ies)
 - The view of the parent(s) or legal guardian(s)
 - The ability of the underage party(ies) to assume the responsibilities of marriage
 - The circumstances surrounding the marriage; and
 - The ability of the underage party(ies) to manage their financial, personal, social, educational, and non-financial affairs independent of the underage party's intended spouse during the marriage or upon dissolution of the marriage
- Pregnancy alone is not considered the best interest of the minor per HB 19-1316.
- For additional information, please see §14-2-108 C.R.S. and HB 19-1316.

Forms Needed

- FCF 450 Petition for Underage Marriage
- FCF 451 Underage Marriage Case Information Sheet
- FCF 452 Order for Underage Marriage
- JDF 208 Application for Public Defender, Court-Appointed Counsel or Guardian Ad Litem

Fees

There is no fee to file.

Common Terms

Petition for Underage Marriage:	Document filed by an underage person to request an order allowing him/her to enter into marriage while underage.
Petitioner:	The person filing the Petition with the Court.
Co-Petitioner:	The person filing the Petition with the Court along with the Petitioner.
Respondent:	The person the underage person is seeking to marry who is 18 years or older.
Guardian Ad Litem (GAL):	A court-appointed representative who is to protect the interest of the underage person; the GAL is to investigate whether the marriage is in the underage person's best interest and submits a report to the Court as to their findings.
May:	In legal terms, "may" is defined as "optional" or "can".
Shall:	In legal terms, "shall" is defined as "required".

Steps to Filing Your Case

You are filing jointly as Petitioner and Co-Petitioner if you and the person you are seeking to marry are both underage, or you are filing as Petitioner and naming your significant other as "Respondent" if he/she is 18 years of age or older.

Step 1: Complete Initial Forms

- **FCF 450 Petition for Underage Marriage**
 - Complete all sections of this form.
 - You are the Petitioner. The person you are seeking to marry is the Co-Petitioner/Respondent.
 - If you and the person you are seeking to marry are both underage, then you both must sign the Petition.
 - Complete the Certificate of Service indicating when and how you are providing your parent(s) or legal guardian(s) a copy of the Petition. The Co-Petitioner must also send their parent(s) or legal guardian(s) a copy of the Petition.
- **FCF 451 Underage Marriage Case Information Sheet**
 - Complete all sections of this form.
 - You are the Petitioner. The person you are seeking to marry is the Co-Petitioner/Respondent.
 - Both the Petitioner and the Co-Petitioner must sign this form.
- **FCF 452 Order for Underage Marriage**
 - Complete only the caption (top box) of this form.
- **JDF 208 Application for Public Defender, Court-Appointed Counsel or Guardian Ad Litem**
 - Complete all sections of this form.
 - Each underage party must complete a separate Application.

Step 2: File Documents with Court

File all completed documents in the Clerk's Office (room S101) of the courthouse. Please be sure you have made additional copies of the Petition for Underage Marriage to provide to your parent(s)/legal guardian(s) and for yourself. Please make at least 1 additional copy of all other documents.

Step 3: Provide your Parents or Legal Guardians a Copy of the Petition

After filing your documents with the Court, you must hand deliver or mail a copy of the completed Petition for Underage Marriage to your parent(s) or legal guardian(s) on the date that you indicated on the Petition.

Step 4: Status Conference

After filing your documents with the Court, a status conference may be set. You **and** your parent(s) or legal guardian(s) must appear at this conference. The Judge will ensure that parties would like to proceed with the appointment of a guardian ad litem. You may be responsible for costs involved in the appointment of a guardian ad litem.

Step 5: Appointment of Guardian Ad Litem

After submitting form JDF 208, the Judge will appoint a guardian ad litem to investigate as to whether the issuance of a marriage license and marriage certificate is in your best interest. The GAL will contact you to obtain information related to the factors listed under General Information. They may contact your significant other, your parent(s)/legal guardian(s), and any other friends or family members in order to complete their report. The GAL must file a report with the Court as to their findings. If both parties are underage, then the court may appoint a separate GAL for each underage person.

Step 6: Court Order or Hearing

Once the GAL files their report with the Court, the Judge may either set a hearing or issue an order granting or denying your request for the issuance of a marriage license/marriage certificate. You will receive this notice or order by mail.

<input type="checkbox"/> District Court El Paso County, Colorado Court Address: 270 S. Tejon St. Colorado Springs, CO 80903	
In Re the Petition of: Petitioner: _____ Co-Petitioner/Respondent: _____	▲ COURT USE ONLY ▲
Attorney or Party Without Attorney (Name and Address): _____ _____ Atty. Reg. #: _____ Phone Number: _____ E-mail: _____ FAX Number: _____	Case Number: _____ Division: _____ Courtroom: _____
PETITION FOR UNDERAGE MARRIAGE	

The Petitioner, _____ ,

CHECK THE BOX THAT APPLIES TO YOUR AGE (§ 14-2-108)

Is 16 years of age.

Is 17 years of age.

Petitioner hereby requests an order allowing him/her to enter into marriage while underage. The Petitioner also requests that the Court order the County Clerk and Recorder to issue a marriage license and marriage certificate form for marriage by the Petitioner.

The Co-Petitioner/Respondent, _____ ,

CHECK THE BOX THAT APPLIES TO YOUR AGE (§ 14-2-108)

Is 16 years of age.

Is 17 years of age.

Is 18 years of age or older.

If Co-Petitioner/Respondent is under the age of 18:

Co-Petitioner hereby requests an order allowing him/her to enter into marriage while underage. The Co-Petitioner also requests that the Court order the County Clerk and Recorder to issue a marriage license and marriage certificate form for marriage by the Co-Petitioner.

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.

SIGNATURE(S)

Dated: _____

(Printed name of Petitioner)

Petitioner Signature

Address

City, State, Zip Code

(Area Code) Telephone Number (home)

Dated: _____

(Printed name of Co-Petitioner if under the age of 18)

Co-Petitioner Signature

Address

City, State, Zip Code

(Area Code) Telephone Number (home)

CERTIFICATE OF SERVICE

I certify that on _____ (date) a true and accurate copy of the **Petition for Underage Marriage** was served 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:

Petitioner's Parent/Legal Guardian (1):

Petitioner's Parent/Legal Guardian (2):

To be completed only if Co-Petitioner/Respondent is under 18 years of age:

Co-Petitioner's Parent/Legal Guardian (1):

Co-Petitioner's Parent/Legal Guardian (2):

Your Signature(s): _____

<input type="checkbox"/> District Court El Paso County, Colorado Court Address: 270 S. Tejon St. Colorado Springs, CO 80903	
Petitioner: _____ And Co-Petitioner/Respondent: _____	COURT USE ONLY
Attorney or Party Without Attorney (Name and Address): _____ _____ Atty. Reg. #: _____ Phone Number: _____ E-mail: _____ FAX Number: _____	Case Number: _____ Division: _____ Courtroom: _____
UNDERAGE MARRIAGE CASE INFORMATION SHEET	

Full name of Petitioner: _____

Date of birth: _____

Residential address: _____ Apt. #: _____

City: _____ State: _____ Zip Code: _____

Mailing address (if different from residential address): _____ Apt. #: _____

City: _____ State: _____ Zip Code: _____

Telephone Numbers: (Home) _____ (Work) _____ (Cell) _____

Full name of Co-Petitioner/Respondent: _____

Date of birth: _____

Residential address: _____ Apt. #: _____

City: _____ State: _____ Zip Code: _____

Mailing address (if different from residential address): _____ Apt. #: _____

City: _____ State: _____ Zip Code: _____

Telephone Numbers: (Home) _____ (Work) _____ (Cell) _____

Full name of Petitioner's Parent/Legal Guardian (1): _____

Parent or Legal Guardian

Residential address: _____ Apt. #: _____

City: _____ State: _____ Zip Code: _____

Mailing address (if different from residential address): _____ Apt. #: _____

City: _____ State: _____ Zip Code: _____

Telephone Numbers: (Home) _____ (Work) _____ (Cell) _____

Full name of Petitioner's Parent/Legal Guardian (2): _____

Parent or Legal Guardian

Residential address: _____ Apt. #: _____

City: _____ State: _____ Zip Code: _____

Mailing address (if different from residential address): _____ Apt. # _____

City: _____ State: _____ Zip Code: _____

Telephone Numbers: (Home) _____ (Work) _____ (Cell) _____

To be completed only if the Co-Petitioner/Respondent is under the age of 18:

Full name of Co-Petitioner's Parent/Legal Guardian (1): _____

Parent or Legal Guardian

Residential address: _____ Apt. #: _____

City: _____ State: _____ Zip Code: _____

Mailing address (if different from residential address): _____ Apt. #: _____

City: _____ State: _____ Zip Code: _____

Telephone Numbers: (Home) _____ (Work) _____ (Cell) _____

Full name of Co-Petitioner's Parent/Legal Guardian (2): _____

Parent or Legal Guardian

Residential address: _____ Apt. #: _____

City: _____ State: _____ Zip Code: _____

Mailing address (if different from residential address): _____ Apt. # _____

City: _____ State: _____ Zip Code: _____

Telephone Numbers: (Home) _____ (Work) _____ (Cell) _____

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.

SIGNATURE

Date

Signature of Petitioner

Printed name of Petitioner

Date

Signature of Co-Petitioner

Printed name of Co-Petitioner

<input type="checkbox"/> District Court El Paso County, Colorado Court Address: 270 S. Tejon St. Colorado Springs, CO 80903	
In Re the Petition of: Petitioner: _____ v. Respondent/Co-Petitioner: _____	COURT USE ONLY
Attorney or Party Without Attorney (Name and Address): _____ _____ Atty. Reg. #: _____ Phone Number: _____ E-mail: _____ FAX Number: _____	Case Number: _____ Division: _____ Courtroom: _____
ORDER GRANTING PETITION FOR UNDERAGE MARRIAGE	

The Court has reviewed the Petition for Underage Marriage and finds the following:

- The Court finds that a reasonable effort has been made to notify the parents or legal guardians of each underage party;
- The Petitioner is sixteen (16) or seventeen (17) years old;
- The Co-Petitioner is sixteen (16) or seventeen (17); and
- The Court has reviewed the report from the Guardian Ad Litem appointed to this case.


WHEREFORE, the Court has considered all relevant factors and finds that the underage party(ies), the Petitioner/Co-Petitioners, is/are capable of assuming the responsibilities of marriage, and that the issuance of a marriage license is in the best interest of the Petitioner/Co-Petitioners. The Court hereby GRANTS the Petition for Underage Marriage.

The Court further orders that the County Clerk and Recorder issue a marriage license and a certificate of marriage for the marriage of the underage Petitioner/Co-Petitioners.

Dated: _____

BY THE COURT:

 Judge Magistrate

JDF 208	Application for a State Paid Professional (ACTA)		
	County: _____	Division: _____	▲ Court Use Only ▲
	Case Number: _____	Courtroom: _____	

Because I (or they) can't afford one, I would like the court to provide a state paid:

- Lawyer
 Court Visitor
 Guardian ad litem
 Child & Family Investigator
 For: Me/My Case or Another Party. *(Fill in **their** information in sections 2-8 below.)*

1. I understand

- I must fill in **all** blanks. Write “**No**” or “**None**” if a blank doesn't apply.
- The court may charge a \$25 processing fee at the end of the case.
- I/They may have to repay the state for the professional's fees.

2. Basic Information

Name: _____ Birthdate: _____

Mailing Address: _____

Street Address (if different): _____

City, State, Zip: _____

Phone Number: _____ Email: _____

3. Work Information

Job Title: _____ Company: _____

Work Address: _____

City, State, Zip: _____

Work Phone: _____ Length of Employment: _____

Pay Date(s): _____ Hours/Week: _____ Pay Rate: \$ _____

4. Case Information

Next hearing: *(type and date)* _____

Most serious charge: *(criminal cases only)* _____

5. Household Members

Status: Single Married or Civil Union Partnered
 Separated Divorced

Number of dependents (including yourself): _____

Note – Don't list roommates. Only list household members who contribute income to the common support of the home.

Name	Relationship	Income Before Taxes
_____	_____	\$ _____
_____	_____	\$ _____
_____	_____	\$ _____
_____	_____	\$ _____

6. Monthly Income & Expenses

Income Before Taxes	\$	Expenses	\$
Mine (<i>wages/salary/commission/tips</i>)	\$ _____	Rent/Mortgage	\$ _____
Household Members	\$ _____	Groceries	\$ _____
Parents (<i>if same household</i>)	\$ _____	Utilities	\$ _____
Unemployment Benefits	\$ _____	Clothing	\$ _____
Social Security/Retirement	\$ _____	Maintenance/Child Support	\$ _____
Maintenance (<i>alimony</i>)	\$ _____	Medical/Dental	\$ _____
Other: _____	\$ _____	Transportation	\$ _____
Other: _____	\$ _____	Loans/Credit Cards	\$ _____
Total Household Income	\$ _____	Total Expenses	\$ _____

7. What is Owned

Asset	\$ Value	Description of Asset	\$ Still Owed
Savings Account	\$ _____	Bank Name: _____	
Checking Account	\$ _____	Bank Name: _____	
Vehicle	\$ _____	Year & Model: _____	\$ _____
Vehicle	\$ _____	Year & Model: _____	\$ _____
House	\$ _____	Type: _____	\$ _____
Other Property	\$ _____	Type: _____	\$ _____
Stocks, Bonds, and Mutual Funds	\$ _____	Type: _____	
Other Investments	\$ _____	Type: _____	\$ _____
Total Assets	\$ _____	Convertible to Cash	\$ _____

8. References

- 1) Name/Phone/Email: _____
- 2) Name/Phone/Email: _____

9. Sign & Date

I swear that the information contained above is true and complete.

_____ _____ _____
 Print Your Name Your Signature Date

Staff Use Only:	
<input type="checkbox"/> Above Guidelines <input type="checkbox"/> At or Below Guidelines	
Staff Signature: _____	Date: _____
<input type="checkbox"/> Request Granted <input type="checkbox"/> Request Denied	
Judicial Officer Signature: _____	Date: _____

Instructions

1. Income Before Taxes

Includes income from household members who contribute to the common support of the home.

Include:

- Wages
- Tips
- Salaries
- Bonuses
- Alimony
- Pensions
- Royalties
- Annuities
- Dividends
- Commissions
- Capital Gains
- Severance Pay
- Trust Income
- Retirement Benefits
- Unemployment Benefits
- Independent Contractor Pay
- Social Security Disability (SSD)
- Social Sec. Supplemental Income (SSI)
- Interest/Investment Earnings
- Worker's Compensation Benefits

Note: Don't include income from **roommates**. Only include their income if you share bank accounts or commingle funds.

Do Not Include:

- Food Stamps
- Child Support
- Public Assistance
- TANF Payments
- Subsidized Housing
- Veteran's Disability

2. Liquid Assets/Convertible to Cash

Includes cash on hand or in accounts, stocks, bonds, certificates of deposit, and equity. This also includes personal property or investments that could be converted into cash without risking your ability to maintain a home and employment.

3. Expenses

Do not include nonessential items such as cable, streaming services, club memberships, entertainment, dining out, alcohol, cigarettes, etc. Allowable expense categories are listed on the form.

4. Attach

You may have to provide the three previous month's bank statements and proof of income (like pay stubs). Don't attach original documents. You may wish to remove financial account and tax identification numbers.