

INSTRUCTIONS FOR FILING A PETITION FOR REVIEW OF MAGISTRATE ORDER

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

- ❖ A Petition for Review is not a new hearing, but an opportunity to request the District Court to review a final order from proceedings in a domestic or juvenile case based upon law, if a party believes that the judgment is in error.
- ❖ This Petition for Review of Magistrate Order should not be used to correct a clerical error. For clerical errors, please review Colorado Rules of Civil Procedure 60(a).
- ❖ Neither party is present for a Petition for Review; it is a paper review by the District Court Reviewing Judge.
- ❖ You may not file any new evidence or subpoena witnesses for a Petition for Review.
- ❖ A Petition for Review can be filed by either party if they believe that the judgment/order entered was in error.
- ❖ For additional information, please review Rule 7 of the Colorado Rules for Magistrates.

COMMON TERMS

- ✦ **Magistrate**: Any person other than a judge authorized by statute or by the Rules to enter orders or judgments in judicial proceedings.
- ✦ **Reviewing Judge**: A judge designated by a chief judge or a presiding judge to review the orders or judgments of magistrates in proceedings to which the Rules for Magistrates apply.
- ✦ **Order or Judgment**: All final rulings, decrees or other decisions of a magistrate made in the course of judicial proceedings.

If you do not understand this information, please contact an attorney.

STEPS TO FILING YOUR PETITION FOR REVIEW

Complete Forms.

- Petition for review of a magistrate order.
- Transcript Request form. This is only required if there was a hearing.

You must identify yourself as the Petitioner or Co-petitioner/Respondent depending on your "title/role" in the original domestic or juvenile case. It is important to remember that your "title/role" in the case does not change based on who files the appeal.

The caption below must be completed on all forms filed. Forms must be filled out completely.

Be sure to make a copy for your own records of all forms you file with the Court.

Jefferson Combined Court, State of Colorado 100 Jefferson County Parkway, Golden, CO 80401		FOR COURT USE ONLY		
Petitioner: NAME v.				
Co-Petitioner/Respondent(s): NAME		Case Number:		
Attorney or <u>Party Without Attorney (Name and Address):</u> Enter your name and address here				
Phone Number:	E-mail:		Division	Courtroom
FAX Number:	Atty. Reg. #:			
PETITION FOR REVIEW OF MAGISTRATE ORDER				

PETITION FOR REVIEW

- This Petition must be filed with the District Court within 21 days of the entry of the final judgment.
- Complete the Petition providing the specific authorities relied upon to support your Petition.
- Complete the Certificate of Service

CERTIFICATE OF SERVICE	
I certify that on _____ (date) a true and accurate copy of this Petition for Review of Magistrates Order was served on the other party by:	
<input type="checkbox"/> Hand Delivery, or <input type="checkbox"/> Faxed to this number _____ or	
<input type="checkbox"/> by placing it in the United States mail, postage pre-paid, and addressed to the following:	
To: _____ Name of other party _____	
_____ Complete address _____	

_____ (Your Signature)	

- File the original with District Court.
- Make copies: one to provide to all of the party's and one for your records.
- Transcript request form

TRANSCRIPT REQUEST FORM (See next page for more instructions.)

DISTRICT COURT REVIEW

Once all of the timeframes have passed for filing a response to the Petition for Review, the District Court will review the case file and transcript. **No new hearing will be held.**

- ⊛ The District Court will enter a written ruling.
- ⊛ You and the other party will receive a copy of the written ruling.

How to Request a Hearing Transcript

1. Fill out a transcript request form. These are available online or in the Clerk of Courts office. The request forms have information regarding time frames and costs.
2. The request must be filed with the Clerk's office by mailing in, bringing in to the Clerk of Courts office, or by emailing the transcript request directly to:
jeffcotranscripts@judicial.state.co.us .

No faxed or e-filed/j-pod requests will be processed for FTR transcript requests.

3. Once the transcript request is received it will be assigned to a transcriber. The transcriber will contact you with an estimate. The transcript will not be started until the transcriber receives a deposit. Once it is completed the transcriber will notify you of the full cost and the transcript will be sent to you once payment is received.
4. Requests for audio CDs or Tapes of the hearing will not be provided per CJD 05-03.
5. For hearing dates covered by a Court Reporter, contact the Managing Court Reporter.

Date: _____

Petitioner or Co-Petitioner/Respondent

Address

City, State, Zip Code

(Area Code) Telephone Number (home and work)

CERTIFICATE OF SERVICE

I certify that on _____ (date) the original was filed with the Court and a true and accurate copy of this **Petition for Review of Magistrate Order** 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: _____

(Your signature)

TRANSCRIPT REQUEST FORM

Pursuant to Chief Justice Directive 2005-03 (Amended July 1, 2015)

This transcript request form must be completed by any person requesting a transcript from any court proceeding whether reported stenographically or by electronic recording means. Upon completion of this Transcript Request Form, please follow established policies and procedures for each judicial district which outline instructions for ordering transcripts, tapes or digital recording disks. This information is available on the Colorado Judicial website at www.courts.state.co.us

Transcript Rates

Ordinary Rate (State Paid) (within 30 days or per C.A.R. 11(a)&(d))	Original Price (\$3.00/page) Copy to State Agency (\$0/page) Copy to Non-State Agency Party (\$.75/page) Add'l Copy to Non-Party (\$.75/page)	Expedited Rate (within 10 days)	Original Price (\$3.75/page) Copy to State Agency (\$0/page) Copy to Non-State Agency Party (\$.75/page) Add'l Copy to Non-Party (\$.75/page)
Ordinary Rate (Private Paid) (within 11 days and up to 30 days, or as agreed upon by the requesting party and transcriber)	Original Price (\$3.00/page) Copy to State Agency (\$.75/page) Copy to Non-State Agency Party (\$.75/page)	Hourly Rate (within 2 hours of adjournment)	Original Price (\$6.25/page) Copy to State-Agency (\$1.25/page) Copy to Non-State Agency Party (\$1.25/page) Add'l Copy to Non-Party (\$1.25/page)
Daily Rate (following adjournment and prior to normal opening of court the following day)	Original Price (\$5.25/page) Copy to State-Agency (\$0/page) Copy to Non-State Agency Party (\$1.00/page) Add'l Copy to Non-Party (\$1.00/page)	Duplication Fees (only if allowed by district)	\$35.00/tape or CD

Transcripts will not be started and the time limits stated for delivery of transcripts will not commence until satisfactory payment arrangements are made for required fees. To avoid any disputes as to dates or payment, a dated receipt for payment shall be provided to requester. JEFFCO request please submit your request to jeffcotranscripts@judicial.state.co.us

ORDERING PARTY INFORMATION

1. Full Name (Include Firm Name)	2. Phone Number	3. Email Address	
4. Mailing Address	5. City	6. State	7. Zip Code

TRANSCRIPT INFORMATION

8. Case No.	9. Case Caption (i.e. People v. John Doe)	10. County
11. Judicial Officer/Division	12. Order For <input type="checkbox"/> Appeal <input type="checkbox"/> Civil <input type="checkbox"/> Upcoming Hearing/Trial on _____ <input type="checkbox"/> Non-Appeal <input type="checkbox"/> Criminal <input type="checkbox"/> Other	

12. Transcript Requested (Specify portion(s) and date(s) of proceeding(s) requested)

Portion(s)	Date(s)	Time(s)	Portion(s)	Date(s)	Time(s)
<input type="checkbox"/> Entire Proceedings			<input type="checkbox"/> Testimony (Specify Witness)		
<input type="checkbox"/> Jury Voir Dire					
<input type="checkbox"/> Opening Statements					
<input type="checkbox"/> Closing Arguments			<input type="checkbox"/> Pre/Post Trial Hearing (Spcy)		
<input type="checkbox"/> Jury Instructions					
<input type="checkbox"/> Judge's Ruling					

ORDERING INFORMATION

13. Date of Request/Date Transcript Needed	14. Rate Category: <input type="checkbox"/> Ordinary (State Pd.) <input type="checkbox"/> Expedited <input type="checkbox"/> Hourly <input type="checkbox"/> Ordinary (Private Pd.) <input type="checkbox"/> Daily
15. Orig. + Copies (Spcy #) _____ + _____ = _____	16. Certification (By signing below, I certify that I will pay all charges.) Signature: _____ Date: _____

FOR COURT USE ONLY (ERO = Electronic Records Operator)

Date of Request	Transcript To Be Prepared By (Name of Court Rpt/ERO)	Date Court Rptr/ERO Contacted	
Notice of Estimate to Ordering Party Date _____ # of pages _____	Date of Deposit/Satisfactory Payment Arrangements	Deposit Paid \$ _____	Bal Pd/Refund \$ _____
Date Transcript Mailed/Delivered	I certify that the preparation of this transcript is in compliance with the fee & format prescribed by CJD 05-03. Reporter/ERO Signature _____ Date _____		