

Custody Guide (Parental Responsibility Cases)

(File to set Child Support, Decision-Making, and a Parenting Time Schedule)

Who is this for?

Parents who are not married or in a civil union.

With your input, the court will:

- Set the amount for child support.
- Lay out how important life decisions will be made for the children.
- Create a parenting time schedule.

To file, the children must have lived in Colorado for the last 182 days.

Who can start the case?

Either parent can start the case.

Can a non-parent participate?



Yes, if:

- 1) You've had parental responsibility for at least 182 days.
- 2) And, the case is started within 182 days since you lost the parental responsibility.

Or, at this time, neither parent has physical care of the child/ren.

Where do I File?

File in the district court in the county where the children live.

The information on this page is legal information.
For legal advice, talk to a lawyer.

Can we get help to solve our disagreements?

The State Office of Dispute Resolution helps parents with unresolved legal issues. [<http://www.coloradoODR.org>]

What if the other parent is not the "legal" father?

You will need to resolve who the legal father is before starting this type of case.

See JDF 1500 - Paternity Instructions.

Will an investigator or lawyer be assigned?

Maybe. The court can assign an investigator to get more information about the family.

Or, the court can appoint a lawyer for the child if it believes they need one.

The parents do not get a court appointed lawyer.

Do I *have to* have a lawyer?



You do not *have to* have a lawyer, but you must follow the same rules and procedures that lawyers follow. You may contact a lawyer at any time.

Will I have to take a parenting class?

Yes. Both parents have to take a parenting class. The court will give you more information on class times and locations.



For disability accommodations contact your local courthouse.

Forms to File

① Fill out court forms



The process is simpler if you and the other parent sign the petition together.

Fill out these forms:


- JDF 1000 Case Information Sheet.
- JDF 1031 Petition.
- JDF 1032 Summons. (skip if you sign the petition together)

Where do I get court forms?

Go to: www.courts.state.co.us/Forms/family

Keep a copy of all forms you file with the court for your records.

② File Your Forms

- File online at www.jbits.courts.state.co.us/efiling.
- Or, submit your completed forms with the Court Clerk in the county where you or your spouse lives. 
- Pay the filing fee.
- If you cannot afford the fee, also file:
 - JDF 205 – Motion, and
 - JDF 206 – Order (*Just the caption*)
- You will be scheduled for an Initial Status Conference within 42 days of your filing.
- Procedural Orders will be given to you or mailed depending on the local court process.

③ Service

- Skip this step if you sign the petition together.
- Review JDF 1099 for how to serve the other parent.

④ Response

- Skip this step if you sign the petition together.
- Respondent does form JDF 1035 – Response.
- See Step 2 to file.
- eServe or mail a copy to the Petitioner.

⑤ Complete and File these forms:

Deadline Warning!

Within **42 days** after filing or receiving the Petition, each parent must file:

- JDF 1111 Sworn Financial Statement
- JDF 1104 Certificate of Compliance

Other Forms to File:

- JDF 1113 Parenting Plan
- Parties submit one document signed together. If you cannot agree, mediation may be ordered.

- Child Support Worksheet
- Child Support Calculator found at:
<http://www.courts.state.co.us/Forms/family>

- JDF 1117 Support Order (*Just the caption*)
- JDF 1039 Final Order (*Just the caption*)

This is your final order. Once the court signs it, the divorce is final.

⑥ Court Hearing



There will be a court hearing. If agreements are not reached, mediation may be ordered before a hearing is scheduled.