

How to File for Divorce or Legal Separation

Who is this for?

If you want a divorce or legal separation of your marriage or civil union:

- One party must have lived in Colorado for at least **91 days** before you may file.
- If you have children, they must have lived in Colorado for at least **182 days** or since birth if under six months old.
- Please let the court know if you need an interpreter.

Is there a waiting period?



Yes. Even if you and your spouse agree on all the issues. You must still wait **91 days** after filing the Petition and serving the other spouse.

The 91 days start when the petition is filed together, or the other person is served or signs a waiver.

Can we get help to solve our disagreements?

The State Office of Dispute Resolution helps spouses try to agree about unresolved issues. www.ColoradoODR.org

Can I change my mind about the divorce?

Yes. But if you change your mind and both parties want to stop the divorce, notify the court **right away**. If you do not, you could get automatically divorced! To notify us, fill out and file form JDF 1305 - *Stipulated Motion to Dismiss*.

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.

Are there rules that must be followed?

Yes. Once a Petition is filed, both spouses must obey the temporary court injunction:

- Do NOT sell, transfer, assign, borrow against, hide, or get rid of any marital property without permission from the other spouse or the court. You may use your income for your usual business expenses and your usual life necessities.
- Do NOT disturb the other spouse's peace.
- Do NOT cancel, stop paying, or make any changes to health, homeowner's, renter's, automobile, or life insurance policies that cover a party in this case or that name a party as a beneficiary. *Exception:* You may make changes to insurance coverage if you have written permission from the other party or a court order, and you give at least 14 days' Notice to the other party. (§§ 14-10-107; 14-10-108, C.R.S.)



Court orders must be followed.

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



For disability accommodations contact your local courthouse.

Forms to File

① Fill out court forms



If you and your spouse sign the petition together, the process is simpler.

Fill out these forms:


- JDF 1000 Case Information Sheet.
- JDF 1011 Petition.
- JDF 1012 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 your spouse.

④ Response

- Skip this step if you sign the petition together.
- Respondent does form JDF 1015 – 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 spouse must file:

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

Other Forms to File:

- JDF 1115 Property and Financial Agreement
This form shows the court how you plan to divide your property and handle spousal support (if any). Parties submit one document signed together. If you cannot agree, mediation may be ordered.
- JDF 1117 Support Order (*Just the caption*)
- JDF 1019 Decree (*Just the caption*)
This is your final order. Once the court signs it, the divorce is final.

If you have children, also 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: www.courts.state.co.us/Forms/family

If you don't have children, you may be able to file:

- JDF 1018 Decree Without Appearance
This document states that you have reached a full agreement, and a hearing is not needed. Parties submit one document signed together.

⑥ Court Hearing



There will be a court hearing if agreements are not reached.