

District Court, _____ County, Colorado Court Address:	
In re the Marriage of: Petitioner: and Co-Petitioner/Respondent:	
Attorney or Party Without Attorney (Name and Address):	
Phone Number: _____ E-mail: _____ FAX Number: _____ Atty. Reg. #: _____	▲ COURT USE ONLY ▲
	Case Number: _____ Division: _____ Courtroom: _____
AFFIDAVIT FOR DECREE WITHOUT APPEARANCE OF PARTIES	

Please complete the appropriate information in Numbers 1 – 6 prior to filing with the Court.

The Petitioner and/or Co-Petitioner/Respondent files this Affidavit in support of a request for issuance of a Decree of Dissolution of Marriage without appearance of the parties.

1. The Petition for Dissolution of Marriage was filed on _____ (date). On that date, the Petitioner and/or Co-Petitioner/Respondent _____ (name) had been domiciled in Colorado for more than 90 days immediately before the Petition for Dissolution of Marriage was filed.

2. The Petition and Summons were served by: **(check one)**
 - A Co-Petitioner filing (when both parties sign the Petition).
 - Personal service on _____ (date).
 - Waiver of service signed on _____ (date).
 - Publication/Certified Mail. (**Note:** Service by either of these methods is only allowed by Court Order .)
 The publication occurred on _____ (date) **OR** the return receipt for Certified Mail was signed by the Respondent on _____ (date).

3. **There are no minor child(ren) and wife is not pregnant.**
or
 There are minor child(ren) and each party is represented by counsel. The parties have completed a Parenting Plan that provides for the allocation of parental responsibilities (decision-making responsibilities and parenting time) and have reached an agreement with respect to child support, and medical/dental insurance of the child(ren) of the marriage. The Parenting Plan is in the best interests of the child(ren).
(The Parenting Plan must be filed with the Court.)

4. **Check only one.**
 - The parties have signed a written Separation Agreement.** The parties have completed a Separation Agreement that provides for the division of all marital property and marital debts, and addresses spousal support/maintenance. The parties agree that the Separation Agreement is fair and not unconscionable. *(The Separation Agreement must be filed with the Court.)*
 - or**
 - There is no marital property to be divided and there are no marital debts and neither party requests spousal support/maintenance.**

5. There are no genuine issues of material fact and the marriage is irretrievably broken.

6. The Petitioner Co-Petitioner/Respondent wishes to have the prior name of _____ restored. The restoration of the prior name will not defraud any creditors or injure third parties.

7. Other:

The Petitioner and/or Co-Petitioner/Respondent request that the attached Decree of Dissolution of Marriage be entered after the statutory waiting period has elapsed.

Petitioner:

Co-Petitioner Respondent (check one):

Signature Date

Signature Date

Address

Address

City State Zip Code

City State Zip Code

Home Phone # Cell #

Home Phone # Cell #

Attorney Signature, if any

Attorney Signature, if any

Subscribed and affirmed, or sworn to before me in the County of _____, State of _____, this _____ day of _____, 20____.

Subscribed and affirmed, or sworn to before me in the County of _____, State of _____, this _____ day of _____, 20____.

My Commission expires: _____

My Commission expires: _____

Notary Public/Clerk

Notary Public/Clerk

CERTIFICATE OF SERVICE

(If only one party signs this Affidavit, complete the Certificate of Service below.)

I certify that on _____ (date) the original was filed with the Court; and a true and accurate copy of the **AFFIDAVIT FOR DECREE WITHOUT APPEARANCE OF PARTIES** 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, addressed to the following:

TO: _____

Your signature