

## Chapter 14

# Grandparent Custody and Visitation Issues

Magistrate Betty Strobel\*  
*Weld County Combined Courts*

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This chapter discusses issues that may arise involving grandparents and their grandchildren, specifically the rights to visit with grandchildren after family changes have occurred and the considerations involved when grandparents actually care for and raise their grandchildren, either temporarily or permanently.

## 14-1. Grandparent Visitation Issues

Courts traditionally do not interfere with relationships between parents and children — or between grandparents and grandchildren — when the family of origin is intact and where the children's safety or welfare is not in danger. However, when adult children divorce or where litigation takes place between parents who have never married, grandparents have the right, under Colorado law, to obtain court orders protecting their rights to visit with their grandchildren. The grandparent visitation statute allows courts to issue these orders in child custody cases that already have been filed with the courts. These cases involve:

- 1) Decrees of invalidity (annulment) of the parents' marriage, or decrees of dissolution of marriage or legal separation, and cases where courts have entered orders allocating parental responsibility between parents who have never married;
- 2) Cases where parental responsibilities for children have been given to someone other than the child's parents or the child has been placed outside of the home of a parent (except when a child has been placed for adoption or the adoption is final); and
- 3) Cases where a parent, who is the child of the grandparent, has died.

Where issues concerning a child's welfare have never been brought before a court — where families are intact and no court has been involved in the parent-child relationship — Colorado law does not permit grandparents to sue those parents for visitation. This is because in an intact family — where courts are not involved in children's issues — the decisions of parents for and about their children are private matters; the rights of parents to raise their children in intact families and to make decisions in what they believe to be their children's best interests are constitutionally protected.

In cases where a court has become involved in a child's life, however, grandparents may intervene — or may file independent legal actions — seeking court orders requiring parents to permit visitation and contact with their grandchildren. In order to obtain such an order in cases where this is legally possible, the grandparent must file a motion for grandparent visitation. This written request must be supported with a sworn affidavit reciting the facts supporting the grandparent's claim and must specifically state why this visitation is in the best interests of the grandchild. Each birth parent or other custodian of the child must receive a copy of both documents. Any parent or custodian can file a response and opposing affidavits. If no one asks for a hearing, then the court reviews the affidavits and the motions and can order visitation only if it determines that such is in the best interests of the child. If either side asks for a hearing, the court must hold one. The court then decides what visitation, if any, is in the best interests of the child and enters the appropriate order.

The court, in these cases, is required to make its decisions in the best interests of the child. The Colorado Supreme Court has said that the trial courts are required to give the parent's decisions concerning grandparent visitation special weight and significance. The trial court cannot simply substitute its own opinion for the decisions of the parent; the parent's determination is given preference and is presumed to have been made in the child's best interests. The grandparent's proof must overcome this presumption; the grandparent must establish by clear and convincing evidence that the visitation he or she seeks is in the

best interests of the child. A grandparent can prove this by establishing, for example, that the parent denying visitation is unfit to make that decision. He or she might prove that the parent's decision is affirmatively wrong and that it is, in fact, psychologically harmful to the child. The grandparent can prove that visitation with the child — contrary to the parent's belief — is affirmatively in the child's best interests, but this has to be shown by clear and convincing evidence.

There is an important limitation on the court's power, even if it decides to order grandparent visitation; it cannot order a parent not to move outside of Colorado in order to preserve a previously adopted visitation schedule. The previous order concerning grandparent visitation would have to be modified, in the child's best interests, to accommodate the move.

Sometimes, after a divorce, one parent might remarry and the new stepparent may actually adopt the grandchild. This type of an adoption does not take away the biological grandparents' right to visitation with their grandchildren. However, if parental rights are terminated in a dependency and neglect proceeding and if the grandchildren are adopted by an entirely new family, the grandparents' rights to visitation with the adopted child will be severed.

If the grandparent visitation order is violated by the custodian of the child, the grandparent can ask the court to enforce the order. The grandparent seeking enforcement of the order must file a verified motion describing when and how the custodian violated the order. The court has to determine if the violation really occurred and it must also decide whether there is likely to be a substantial and continuing noncompliance with the order. The court can then (1) deny the motion, if the allegations in the motion are not adequate; (2) schedule a hearing and give notice of the date and time of the hearing to both sides; or (3) order the parties to mediation — and if it fails, the court can schedule a hearing. If the court decides the custodian or the parent violated the order, it can impose additional terms and conditions, modify the order to meet the child's best interests, require the custodian or the parent to post a bond or security to ensure future compliance with the court's order, or require makeup visitation. In addition, the court could hold the violator in contempt of court and impose a fine or jail sentence. The court also has the power to make the violator of the order repay the grandparent for his or her costs and attorney fees.

A motion for grandparent visitation can only be made once every two years, unless the court finds good cause.

## **14-2. Custody of Grandchildren**

More and more frequently, it seems, grandchildren actually live with their grandparents — rather than with either one of their birth parents — and grandparents raise these children to adulthood. This creates a special set of concerns.

If the parent(s) and the grandparents agree to such an arrangement on a temporary basis, the parent needs to make sure that the grandparents have the power to make medical decisions for the children, take them in or out of school, or make any other decisions in their best interests that birth parents ordinarily make. This can be accomplished through a power

of attorney where the mother or father or both actually assign their parental rights and responsibilities to the grandparents. These are formal legal documents and should be prepared by a lawyer and verified (signed in front of a notary public) by the parents and the grandparents. These assignments are only temporary and they generally only last for nine months; they also must be renewed. Such a power of attorney can be used, for example, if a child needs medical treatment and the grandparent needs to prove that he or she has the authority to consent to the treatment or assume financial responsibility for it. The grandparent can never, ever, use this power to consent to the adoption or marriage of the grandchild.

If more permanent arrangements are contemplated, a grandparent may want to seek legal guardianship for a grandchild. This could be important if a child has income or the right to money (such as a personal injury settlement) that, for one reason or another, cannot or should not be controlled by the parent. A grandparent can file a request with the district court to be appointed a legal guardian for a grandchild. A parent must be notified of this request; if the parent objects, the grandparent must be prepared to convince a judge, at a hearing, that this request is appropriate.

It may become necessary for a grandparent to seek legal decision-making and parental responsibilities for a grandchild. This used to be called “custody”; it is now called the “allocation of parental responsibilities.” In Colorado, this is possible — even over the birth parent’s objections — under certain circumstances. To have such a request considered by the court, a grandparent must be able to prove that the child is not presently in the physical care of one of his or her parents or that the grandparent had the physical care of the child for a period of six months or more and that no more than six months has passed since the child left the grandparent’s physical care.

The case must be filed in the county where the child permanently lives or where the child is located. Notice of the petition for allocation of parental responsibilities must be provided to the birth parents, to any legal guardians, and to any custodian or another person who has been allocated parental responsibilities previously. These individuals must be given an opportunity to respond, in writing, or appear in court and be heard.

The court is required to make the decision as to allocation of parental responsibilities in the best interests of the child. The factors that the court is required to consider include:

- 1) The wishes of the parents;
- 2) The wishes of the child if he or she is mature enough to express a reasoned preference;
- 3) The relationship of the child, parents, grandparents, family members, and any other people who affect the child’s best interests;
- 4) The child’s adjustment to home, school, and community;
- 5) The mental and physical health of all parties involved;
- 6) The adults’ respective abilities to encourage the sharing of love and contact between the child and the other parties;
- 7) The past pattern of the parents’ and grandparents’ involvement with the child;

- 8) Credible evidence of a history of child abuse or neglect on the part of the parents or grandparents; and
- 9) The abilities of the adults to put the child's needs and best interests ahead of their own.

It is possible to have a child and family evaluator appointed by the court make an investigation into these issues and make a report to the court recommending an outcome that would be in the child's best interests. The court has the power to order the adults involved to cooperate with the evaluation. The evaluator has access to medical, mental health, education, and other reports concerning the child, although the child's consent has to be obtained before these records are released to the evaluator if the child is more than 15 years old.

In the end, it is the court's responsibility — and the child's right — to have decisions concerning the permanent allocation of parental responsibility be made in the child's best interests.

### **14-3. Glossary**

***Affidavit.*** A statement sworn to, under oath, before a notary public or clerk of the court. It verifies that every fact stated is true and correct to the best of the affiant's (signer's) knowledge, information, and belief.

***Allocation of Parental Responsibilities.*** Formerly "custody." It is the right of an adult to make decisions for a child, including the right to decide where the child lives, where he or she goes to school, and who the child's medical or mental health care providers will be.

***Best Interests of the Child.*** The right of the child and the responsibility of the court to make sure that a child's physical and emotional needs come first when decisions are made that affect the child's life and future.

***Child Custody Case.*** Under the Colorado grandparent visitation statute, any case where a court has become involved in a child's life, including cases where parents are divorced or legally separated or where, if parents have never married, a court has made a decision concerning the allocation of parental responsibilities.

***Clear and Convincing Evidence.*** Evidence that is unmistakable and free from serious doubt.

***Decree of Dissolution of Marriage.*** A court order dissolving a marriage; a divorce decree.

***Decree of Invalidity.*** A court order declaring a marriage annulled, as though it never happened.

***Intervene.*** The process of joining in a legal proceeding, as a party.

***Presumption.*** A rule of evidence that states that, from the beginning, something is presumed by the law to be true. The person attacking the presumption has the burden of going forward with evidence to overcome it.

## **14-4. Resources**

### **Administration on Aging**

*A federal agency offering resources for grandparents raising grandchildren:*  
[www.aoa.gov/prof/notes/docs/grandparents\\_raising\\_grandchildren.pdf](http://www.aoa.gov/prof/notes/docs/grandparents_raising_grandchildren.pdf)

### **AARP Grandparent Information Center**

*Provides a wide variety of resources for grandparents:* [www.aarp.org/families/grandparents](http://www.aarp.org/families/grandparents)

### **Colorado Legal Services**

*Provides legal advice and assistance for qualifying grandparents who are raising grandchildren:*  
[www.coloradolegalservices.org/CO/index.cfm](http://www.coloradolegalservices.org/CO/index.cfm)

### **The Foundation for Grandparenting**

*Has innovative ideas for grandparents as parents and a large selection of books:*  
[www.grandparenting.org](http://www.grandparenting.org)

### **Grandparents as Parents**

*Helps individuals network with other grandparents:*  
<http://home1.gte.net/res02wo7>

### **Grandparent Foundation**

*Involved in education, research, programming, and networking around grandparenting:*  
[www.grandparenting.org](http://www.grandparenting.org)

### **Grandparents Resource Center**

*Works with grandparents and family members to facilitate harmony and foster intergenerational relationships, providing broader security for children in the family:*  
<http://grc4usa.org>

### **The Grandparent Rights Organization**

*A grandparenting rights advocacy group:*  
[www.grandparentsrights.org](http://www.grandparentsrights.org)

### **National Center on Grandparents Raising Grandchildren**

*Has a mission to improve the quality of life for intergenerational kinship care families via education, advocacy, and the promotion of sound legislation:*  
<http://chhs.gsu.edu/nationalcenter>

### **Social Security Benefits for Grandchildren**

*Provides advice on Social Security benefits:*  
[www.ssa.gov/kids/parent5.htm](http://www.ssa.gov/kids/parent5.htm)

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\* We thank Paul J. Kyed, Esq., Holland & Hart, for his review of this chapter for the 2009 Edition.

## **Exhibit 14A.**

### **Instructions to File for Grandparent Visitation**

#### **INSTRUCTIONS TO FILE FOR GRANDPARENT VISITATION**

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**

- ◆ This information provides a guide to the forms necessary to file for grandparent visitation.
- ◆ A maternal or paternal grandparent of a child **may seek a court order** granting grandparent reasonable visitation rights when there is or has been judicial intervention into the marriage of the child's parents, a judicial placement of the child(ren) outside their family, or the death of the grandparent's child. This applies to the following cases:
  - ☒ A Domestic Relations (**DR**) Case that involves a Dissolution of Marriage, Legal Separation, Allocation of Parental Responsibilities or Invalidity of Marriage/Annulment.
  - ☒ A Juvenile (**JV**) case that involves Allocation of Parental Responsibilities or determination of Paternity.
  - ☒ Where the parent of the child has died. A Probate (**PR**) case that involves the child's parent who is the child of the grandparent seeking visitation.
  - ☒ If the child is involved in a Juvenile (**JV**) case that involves Dependency and Neglect and the child has been placed outside of and does not reside in the home of the child's parent, the grandparents can seek visitation.
- ◆ A maternal or paternal grandparent of a child **cannot seek a court order** granting grandparent reasonable visitation rights under the following circumstances, since they do not have standing to request visitation:
  - ☒ If parental rights of the child have been terminated.
  - ☒ If the child has been placed for adoption or the adoption has been legally finalized.
  - ☒ If the parents of the child have not participated in a Domestic Relations, Juvenile or Probate case as identified above.
- ◆ A Motion to Intervene must be filed pursuant to Rule 24 of the Colorado Rules of Civil Procedure.
- ◆ The Motion/Affidavit for Grandparent Visitation must be filed in the county where the child resides.
  - ☒ If the **original DR, JV or PR** case is in a different county, you will need to file a Motion to Intervene along with a Motion for Change of Venue in the county where the original case is. Once the Court issues an Order for Change of Venue, you can file the Order along with the Motion/Affidavit for Grandparent Visitation in the county where the child resides.
- ◆ If Colorado does not have the original case, you may need to file in the originating court. This is the court that has child custody jurisdiction. If this situation applies to you consult an attorney to assist with the filing of the documents.
- ◆ No grandparent may file a Motion/Affidavit seeking an order granting visitation rights more than once every two years, without court approval.
- ◆ If there are matters or issues that you and the other parties cannot resolve, mediation or other forms of alternative dispute resolution may be an option. For more information, call the State Office of Dispute Resolution at (303) 837-3672 or check with your local Court to obtain information on local mediators.
- ◆ Review the statute on this subject matter, see §19-1-117, C.R.S.
- ◆ If you have a disability and need a reasonable accommodation to access the courts, please contact your local ADA Coordinator. Contact information can be obtained from the following website:  
<http://www.courts.state.co.us/chs/court/ada/coordinators.htm>

#### **COMMON TERMS**

- |  |   |
|--|---|
| <ul style="list-style-type: none"><li>☒ Petitioner:</li><li>☒ Co-Petitioner:</li><li>☒ Respondent:</li></ul> | <p>The person identified in the original Petition filed with the Court.</p> <p>The person identified in the original Petition filed with the Court.</p> <p>The person identified in the original Petition filed with the Court.</p> |
|--|---|

- ⊗ Intervenor: A person who voluntarily interposes in an action or other proceeding with the approval of the court.
- ⊗ Stipulation: A written agreement prepared by the parties.
- ⊗ Parental Responsibilities: This term includes both parenting time and decision-making responsibilities regarding the children. (The term "Custody" is no longer used.)
- ⊗ Hearing Date: The date that the parties must appear in Court.
- ⊗ Mediation: A confidential process whereby a trained neutral third party assists disputing parties to reach their own solution.
- ⊗ Alternative Dispute Resolution: A process that allows parties to resolve their dispute without litigating the matter in Court.
- ⊗ May: In legal terms, "may" is defined as "optional" or "can".
- ⊗ Shall: In legal terms, "shall" is defined as "required".

**If you do not understand this information, please contact an attorney. You may also contact the Family Court Facilitator at your local courthouse, if one is available in your Judicial District.**

## FEES

The filing fee for an Intervenor is \$171.00 in a Domestic Relations or Juvenile Case. In some Juvenile (JV) cases (Paternity or Dependency and Neglect actions), a new file may need to be opened if the existing case is a non-public case type, however the Intervenor fee should still be charged. No filing fee is required in a Probate case.

If you are unable to pay the filing fee, you must complete the Motion to File without Payment and Supporting Financial Affidavit (JDF 205) and submit it to the Court. Once you submit the completed JDF 205 form and a blank Order (JDF 206), the Court will decide whether you need to pay the filing fee. Some Courts require mediation and may require these fees to be paid upon the filing of the case.

Other fees that a party to the case may encounter are as follows:

- Certification Fee \$20.00
- Copies of Documents (Documents on File) \$ .75 per page or \$1.50 if double-sided
- Copies of Documents (Documents not on File) \$ .25 per page or \$.50 if double-sided

## FORMS

To access a form online go to [www.courts.state.co.us](http://www.courts.state.co.us) and click on the "Forms" tab. The packet/forms are available in PDF and WORD by selecting **Domestic – Modify Case – Grandparent Visitation**. You may complete a form online or you may print it and type or print legibly in black ink. **You may need all or some of these forms. Read these instructions carefully to determine what forms you may need.**

- JDF 1701 Motion/Affidavit for Grandparent Visitation
- JDF 1702 Order re: Motion/Affidavit for Grandparent Visitation
- JDF 1704 Motion to Intervene
- JDF 1705 Order to Intervene

## STEPS TO FILING YOUR CASE

### Step 1: Complete Initial Forms.

Selecting these instructions indicates that you plan to intervene in a case. You must identify the parties as the Petitioner or Co-Petitioner/Respondent depending on their "title/role" in the original case. You will need to identify yourself as the "Grandparent(s) Intervenor(s)". The caption area needs to be completed on all forms filed. **Keep a copy of each form for your own records and make a copy to provide to the other party.**

<input type="checkbox"/> District Court <input type="checkbox"/> Juvenile Court _____ County, Colorado Court Address: _____ In re: <input type="checkbox"/> The Marriage of: <input type="checkbox"/> Parental Responsibilities concerning: _____ Petitioner: and Co-Petitioner/Respondent: and concerning: Grandparent(s) Intervenor(s)		▲ <b>COURT USE ONLY</b> ▲
Attorney or Party Without Attorney (Name and Address): _____ Phone Number: _____      E-mail: _____ FAX Number: _____      Atty. Reg.#: _____		
Name of Form		Case Number: _____ Division      Courtroom

**Motion to Intervene (JDF 1704):**

The purpose of this Motion, filed in pursuant to Rule 24 of the Colorado Rules of Civil Procedure, is for the parties to state why they wish to intervene in the case. Approval of the Court allows them to be added as a party to the case.

Please complete all sections of this form.

**Order to Intervene (JDF 1705):**

Complete the caption only on this form.

The Magistrate or Judge will complete the rest of the Order and give you and the other party a signed copy.

### Step 2: You are Ready to File your Motion to Intervene.

Pay the filing fee of \$171.00, if applicable.

This Motion must be filed in the existing (JV, PR, DR) case.

Provide the Court with the Motion to Intervene and the Order to Intervene.

Provide the Court with a self-addressed stamped envelope to receive a copy of the Order, unless they are a mandatory e-file Court.

### Step 3: Provide a Completed Motion to Intervene to the Other Part(ies).

You must provide a copy of the Motion to Intervene to the party who has legal custody of the child or to the party with parental responsibilities as determined by the Court.

Complete the Certificate of Service portion. The purpose of the Certificate of Service is to notify the Court when and how you provided copies of the Motion to all parties in the case. This is very important, because the Court must have knowledge that all parties involved are aware of the motion prior to any Court action being taken.

**Step 4: Court Review of Motion to Intervene.**

A hearing is not required. If you believe a hearing is necessary, please check with the Court to determine what their procedures are for the setting of a hearing. The Judge or Magistrate will review the Motion to Intervene and enter an Order as appropriate.

**Step 5: Complete and File Motion/Affidavit for Grandparent Visitation**  
**The Motion/Affidavit for Grandparent Visitation must be filed in the county where the child resides.**

- If the original DR, JV or PR case is in a different county, you will need to file a Motion for Change of Venue (JDF 1323) and an Order for Change of Venue (JDF 1324) in the county where the original case is. Once the Court issues an Order for Change of Venue (JDF 1324), you can file the Order along with the Motion/Affidavit for Grandparent Visitation in the county where the child resides.

**If the Court grants the Motion to Intervene, you can file the Motion/Affidavit for Grandparent Visitation.**

- Motion/Affidavit for Grandparent Visitation (JDF 1701):**  
The purpose of this Motion is for the parties to state the visitation being requested. It is important to provide details, for example, including times, days or dates, means of transporting the children and any other details specific to address your visitation.
  - Please complete all sections of this form.
  
- Order Re: Motion/Affidavit for Grandparent Visitation (JDF 1702):**
  - Complete the caption only on this form.
  - Provide the Court with the appropriate number of copies you would like. If you want any of the copies to be certified, you will need to provide the Court with \$20.00 per certified copy.
  - The Magistrate or Judge will complete the rest of the Order and give you and the other party a signed copy.

**Step 6: Provide a Completed Motion/Affidavit to the Other Part(ies).**

- You must provide a copy of the Motion/Affidavit for Grandparent Visitation to the party who has legal custody of the child or the party with parental responsibilities as determined by the Court.
- Complete the Certificate of Service portion. The purpose of the Certificate of Service is to notify the Court when and how you provided copies of the Motion to all parties in the case. This is very important, because the Court must have knowledge that all parties involved are aware of the Motion prior to any Court action being taken.
- You will receive a signed copy of the Order Re: Motion/Affidavit for Grandparent Visitation.

**Step 7: Court Review of Motion/Affidavit for Grandparent Visitation.**

A hearing shall be held if either party requests a hearing or if the Court determines that a hearing is in the best interests of the child. If you believe a hearing is necessary, please check with the Court to determine what their procedures are for the setting of a hearing.

- The Judge or Magistrate will review the Motion/Affidavit for Grandparent Visitation and enter an Order as appropriate.

**If your visitation has been ordered and it is not being granted by the custodian, you have certain rights of enforcement, pursuant to §19-1-117.5, C.R.S.**



**4. Information about the Mother:**    Petitioner    Respondent/Co-Petitioner    Check if in Military

Full Legal Name: \_\_\_\_\_  
 Address: \_\_\_\_\_  
 City: \_\_\_\_\_ State: \_\_\_\_\_ Zip Code: \_\_\_\_\_ Home Phone #: \_\_\_\_\_  
 Email Address: \_\_\_\_\_ Work Phone #: \_\_\_\_\_

**5. Information about the Father:**    Petitioner    Respondent/Co-Petitioner    Check if in Military

Full Legal Name: \_\_\_\_\_  
 Current Mailing Address: \_\_\_\_\_  
 City, State & Zip Code: \_\_\_\_\_  
 Home Phone #: \_\_\_\_\_ Work Phone #: \_\_\_\_\_ Cell #: \_\_\_\_\_

**6. The minor child(ren) is/are:**

Full Name of Child	Present Address	Sex	Date of Birth

**7. The parental rights of the parents of the minor child(ren) have been terminated.**    Yes    No

If **Yes**, please furnish the case number: \_\_\_\_\_

**8. Visitation with the grandparent(s) is in the child(ren)'s best interest for the following reasons:**

\_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_

**9. The grandparent(s) wish(es) to have visitation with the minor child(ren) at the following times and under the following conditions:**

\_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_

**10. Transportation of the child(ren) will be as follows:**

\_\_\_\_\_  
 \_\_\_\_\_

11. Have any Temporary or Permanent Protection/Restraining Orders or any Criminal Mandatory Protection/Restraining Orders (MRO) or Emergency Protection Orders been issued against the grandparent(s) or any of the parties within two years prior to the filing of this Petition?

No  Yes If your answer was **Yes**, complete the following:

The Protection/Restraining Order was  Temporary  Permanent  MRO and issued against \_\_\_\_\_ in a  Municipal Court  County Court  District Court in the County of \_\_\_\_\_, State of \_\_\_\_\_, in case number \_\_\_\_\_ on \_\_\_\_\_ (date).

What was the subject matter of the Protection/Restraining Order or Emergency Protection Order?

\_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_

I/We respectfully request that this Court enter an Order for visitation between the intervenor(s)/grandparent(s) and the minor child(ren) as set forth in this motion and any other orders necessary to effectuate the best interests of the child(ren).

**VERIFICATION AND ACKNOWLEDGEMENT**

I swear/affirm under oath that I have read the foregoing Motion/Affidavit and that the statements set forth therein are true and correct to the best of my knowledge.

\_\_\_\_\_  
 Signature of Grandmother Date

\_\_\_\_\_  
 Signature of Grandfather Date

\_\_\_\_\_  
 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**

I certify that on \_\_\_\_\_ (date) the original was filed with the Court; and a true and accurate copy of the *MOTION FOR GRANDPARENT VISITATION* 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)

**Exhibit 14C.**  
**Order Re: Motion/Affidavit for Grandparent**  
**Visitation Pursuant to § 19-1-117, C.R.S**

<input type="checkbox"/> District Court <input type="checkbox"/> Denver Juvenile Court _____ County, Colorado Court Address: _____ _____ In re: <input type="checkbox"/> The Marriage of: <input type="checkbox"/> Parental Responsibilities concerning: _____ Petitioner: and Co-Petitioner/Respondent: and concerning: Grandparent(s) Intervenor(s): _____	<p align="center">▲   <b>COURT USE ONLY</b>   ▲</p> Case Number: _____ _____ Division                      Courtroom
<b>ORDER RE: MOTION/AFFIDAVIT FOR GRANDPARENT VISITATION</b> <b>PURSUANT TO §19-1-117, C.R.S.</b>	
This matter comes before the Court on a Verified Motion/Affidavit for Grandparent Visitation filed on _____ (date) and/or hearing on _____ (date).	
<p><b>The Court has examined the records and evidence presented and has heard the testimony and statements of the parties and makes the following Findings and Orders:</b></p> 1. Visitation <input type="checkbox"/> is <input type="checkbox"/> is not in the best interests of the child(ren). 2. Visitation is denied for the following reasons: _____ _____ _____ 3. Visitation is granted and is as follows: _____ _____ _____ _____	
Date: _____ <div style="text-align: right;"> <input type="checkbox"/> Judge   <input type="checkbox"/> Magistrate                 </div>	
<b>CERTIFICATE OF MAILING</b>	
I certify that on _____ (date), I mailed, faxed, e-filed, or hand-delivered a copy of this Order to the following: <input type="checkbox"/> Petitioner/Attorney <input type="checkbox"/> Co-Petitioner/Respondent/Attorney <input type="checkbox"/> Grandparent(s)/Attorney <div style="text-align: right;">                 _____                  Clerk             </div>	
JDF 1702 7/08 ORDER FOR GRANDPARENT VISITATION	

**Exhibit 14D.  
Motion to Intervene**

<input type="checkbox"/> District Court <input type="checkbox"/> Denver Juvenile Court _____ County, Colorado Court Address: _____ <hr/> In re: <input type="checkbox"/> The Marriage of: <input type="checkbox"/> Parental Responsibilities concerning: _____ Petitioner: and Co-Petitioner/Respondent:	▲ <b>COURT USE ONLY</b> ▲
Attorney or Party Without Attorney (Name and Address): _____ <hr/> Phone Number: _____    E-mail: _____ FAX Number: _____    Atty. Reg.#: _____	Case Number: _____ <hr/> Division                      Courtroom
<b>MOTION TO INTERVENE</b>	

**1. I/We are filing this Motion to intervene in this action.**

**2. Information about Intervenor (1):**                      Check if in Military

Full Legal Name: \_\_\_\_\_                      Date of Birth: \_\_\_\_\_

Current Mailing Address: \_\_\_\_\_

City: \_\_\_\_\_ State: \_\_\_\_\_ Zip Code: \_\_\_\_\_ Home Phone #: \_\_\_\_\_

Email Address: \_\_\_\_\_ Cell Phone #: \_\_\_\_\_

Intervenor has the following relationship with the minor child(ren):  
 child(ren)'s grandmother,  child(ren)'s grandfather  other: \_\_\_\_\_

**3. Information about Intervenor (2):**                      Check if in Military

Full Legal Name: \_\_\_\_\_                      Date of Birth: \_\_\_\_\_

Current Mailing Address: \_\_\_\_\_

City: \_\_\_\_\_ State: \_\_\_\_\_ Zip Code: \_\_\_\_\_ Home Phone #: \_\_\_\_\_

Email Address: \_\_\_\_\_ Cell Phone #: \_\_\_\_\_

Intervenor has the following relationship with the minor child(ren):  
 child(ren)'s grandmother,  child(ren)'s grandfather  other: \_\_\_\_\_

I/We are requesting to intervene in this action for the following reasons:

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_



**Exhibit 14E.**  
**Order to Intervene**

<input type="checkbox"/> District Court <input type="checkbox"/> Denver Juvenile Court _____ County, Colorado Court Address: _____ In re: <input type="checkbox"/> The Marriage of: <input type="checkbox"/> Parental Responsibilities concerning: _____ Petitioner: and Co-Petitioner/Respondent: _____	<b>▲ COURT USE ONLY ▲</b> Case Number: _____  Division                      Courtroom
<b>ORDER TO INTERVENE</b>	

This matter comes before the Court on a Motion to Intervene filed on \_\_\_\_\_ (date) and/or hearing on \_\_\_\_\_ (date).

**The Court, having reviewed the Motion to Intervene finds the following:**

The Order is **Granted** and the Intervenor(s) will be entered into the case as identified in the Motion.

The Order is **Denied** for the following reasons:  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Date: \_\_\_\_\_

\_\_\_\_\_  
 Judge    Magistrate

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**CERTIFICATE OF MAILING**

I certify that on \_\_\_\_\_ (date), I mailed, faxed, e-filed, or hand-delivered a copy of this Order to the following:

Petitioner/Attorney  
 Co-Petitioner/Respondent/Attorney  
 Grandparent(s)/Attorney

\_\_\_\_\_  
Clerk

JDF 1705 2/09 ORDER TO INTERVENE

