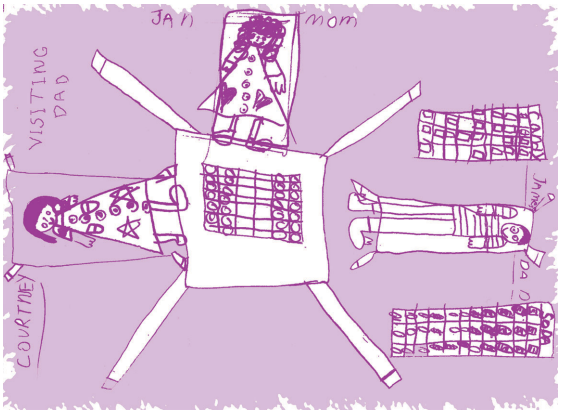
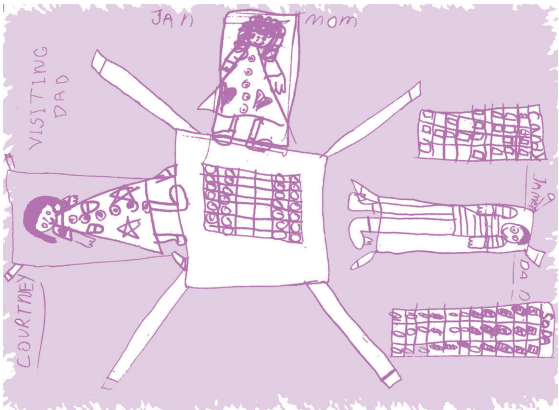
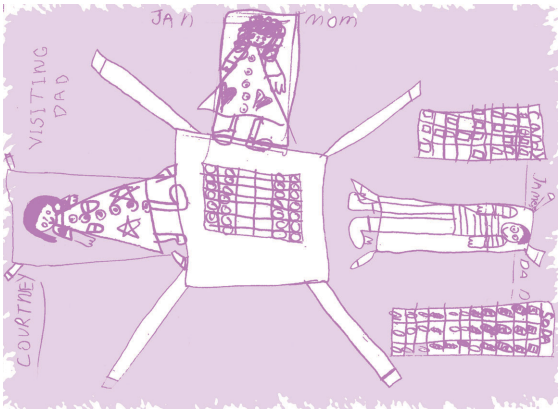
Parenting From Prison:
A Resource Guide for Parents Incarcerated in Colorado







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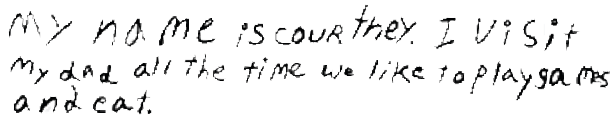
About the Cover:

The drawing used on the cover is by Courtney Gee who was age 11 at the time of the drawing.

She said:



Courtney's Mother, Jan says, "Courtney has visited her dad in jail or prison since she was two days' old. We make visitation as pleasant as we can. Her dad plays games and talks to her about school, her friends and family. This continues the bond between father and daughter and helps her father have a better look on life."

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IMPORTANT: This resource guide is intended to give you information. It is NOT meant to give you legal advice. You are strongly advised to contact an attorney for legal advice regarding any questions you have.

Members of the committee are not able to answer questions or give any legal advice. If you have any comments regarding this Resource Guide or would like a copy, please contact: Christie Donner, Rocky Mountain Peace & Justice Center, P.O. Box 1156, Boulder, CO 80306.

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Introduction

In the past twenty years, there has been an unprecedented growth in the number of people incarcerated in the United States. Currently, there are more than 2 million adults in prison or jail. What is often overlooked in the design of criminal justice policy in the United States is the fact that the majority of women and men in prison are parents of children under the age of 18. Although exact numbers are not known, it is estimated that 1.7 million children have a father in prison and 200,000 children have a mother in prison in the United States.

Mothers in Prison in Colorado:

National statistics indicate that 70-80 percent of women in prison are mothers who have an average of 2.5 children under the age of 18 living with them prior to their arrest and imprisonment. 85 percent of the children who have a mother in prison are under the age of 10. Another 6 percent of women enter prison pregnant. Currently, there are more than 1,300 women in prison in Colorado. Although no state agency tracks the number of children in Colorado who have a mother in prison, based on national averages, it is estimated that approximately 2,500 children in Colorado have a mother in prison.

Fathers in Prison in Colorado:

National statistics estimate that 55 percent of men in prison are fathers of children under the age of 18. A third of men in prison are fathers to more than one child. Currently, there are more than 15,000 men in prison in Colorado. Therefore, it is estimated that there are 13,000 children in Colorado who have a father in prison.

In Colorado, it is estimated that 15,500 children currently have a parent in prison. A much larger number have experienced the incarceration of a parent at some point in their lives.

There can be many emotional, financial, and legal issues that arise when a parent is incarcerated. Understanding how children are impacted when a parent is incarcerated is very important for parents, caregivers, and policy makers. It is often said that when a parent is incarcerated, children and families do the time, too. Children who have a parent in prison are often trying to cope with the traumatic separation from a parent and the instability in their living arrangements. Children can also be traumatized if they witnessed the arrest of a parent.

Although many children who have a parent in prison adjust well and go on to have very successful lives, parents in prison should also be aware that studies have shown that children with an incarcerated parent are much more likely to have difficulties in school, both academically and behaviorally. Also, children with a parent in prison are more likely to engage in substance abuse and delinquency than their peers who don't have a parent in prison.

In Colorado, 50 percent of female juveniles and 25 percent of male juveniles in detention experienced the incarceration of a parent at some point in their childhood. Another study in Ohio found that children who have a mother in prison are 5-6 times more likely to be incarcerated in their lifetime than children who live in poverty but who don't have a mother in prison.

Why should I read this resource guide?

Serving time in prison does NOT mean that you have lost your right to make decisions about the care of your children or that your relationships with your children have become any less important.

Even though you will be physically separated from your children and many parental responsibilities will be handled by someone else, it is important to continue to see yourself as a parent to your children. Parenting from prison isn't easy, but it isn't impossible, either.

As one mother in prison said,

> *"This manual is good for [parents] because it gives them ways to keep their family together behind the wall as well as help them to understand the importance of dealing with custody issues."*

An incarcerated father said,

> *"The relationship with my kids is the main thing—staying in contact with them. I try to stay involved in their lives."*

This resource guide is written for parents in prison who are trying to cope with the emotional, financial, and legal issues regarding their children that arise during their incarceration. This resource guide tries to answer questions you may have as a parent in prison. Because everybody's situation is unique, there may not be an answer for every question you may have. It is our hope that this resource guide will help you have a better understanding of some of the emotional, financial, and legal issues you may be facing so that you can make decisions that will best meet the needs of your children.

In addition to providing you with information about your legal rights and responsibilities as a parent, this resource guide will also give you practical suggestions about what steps you can take while you are incarcerated to make it more likely that you will remain in contact with your children while you are in prison and be reunited after your release. It will also give you information on how to request that your child support payments be lowered so that you don't have a large debt when you are released from prison.

The legal information and the forms enclosed in this resource guide are based on current Colorado law. You should make sure that the information and forms are up to date. We've included the legal code numbers (cites) so that you can research them in the law library for more information.

Parenting From Prison

Despite the large number of families separated due to incarceration, the majority of parents who are incarcerated are able eventually to reunite with their children.

Even though there are challenges in continuing your role as a parent, it is very important both for you and your children. Both mothers and fathers play very important roles in their children's development of a sense of identity, security, and belonging which will affect them throughout their lives.

The major concerns for most parents who are incarcerated are:

1) dealing with the emotions of being separated from their children,
2) making decisions regarding the placement and care of their children,
3) maintaining contact with their children during their incarceration, and
(4) reuniting with their children once they are released from prison.

Parenting from prison isn't easy. However, it is possible to play an active role in your children's lives. Unfortunately, many parents in prison lose contact with their children. This does not have to happen.

To avoid losing contact with your children, it will take effort on your part, the part of the children's caregiver, and maybe even the court.

You will probably get frustrated or feel overwhelmed at times. Communicating with state agencies, courts, your children, or their caregiver can be very difficult, especially from prison. Some family relationships may be strained. Transportation problems may prevent you from having regular visits with your children. Sometimes, it may feel like it is impossible to stay in touch with your children. All of these challenges are real and must be overcome. It will require patience, creativity, and persistence on your part. Always remember that being a parent is the most challenging and rewarding job you'll ever have.

You, your children, and the person who is taking care of your children are all affected by your incarceration. This section offers information on how you can deal with your own feelings around being separated from your children so that you can parent most effectively.

This section will also help you understand how your incarceration affects your children and how to establish a working relationship with the person who is taking care of your children during your incarceration. It also offers some practical suggestions on what you can do to make the most of this difficult situation.

Being a Parent Who is Incarcerated

How does being in prison change how I parent?

Being physically separated will obviously limit your ability to parent in the same way as you did before you were incarcerated. Even though you are still a parent, you will probably not be handling many of the day-to-day decisions and activities normally involved with raising children, including providing for their daily needs and even discipline. This change may leave you with a sense of loss and confusion, especially if you were living with your children before you went to prison.

Even though you may not be involved in the day-to-day care of your children, you can still provide them with emotional support and guidance that is very important to them.

You may also be actively involved in making important decisions regarding their lives, including who you want to take care of them

while you are away. For both you and your children, it is important to understand that you can still be an active and caring parent, even though you are in prison. It is also important for you to understand that your children are coping with a lot, too, and they will need time and support to adjust to someone else providing for their daily needs.

What if I didn't have much contact with my children prior to my incarceration? Is it too late to try and establish a relationship with my children now that I'm in prison?

Even if you didn't have much or any contact with your children prior to your incarceration, it is never too late to try and have a relationship with your children. As one father put it, going to prison caused his "priorities to change" greatly. However, trying to start a relationship with your children after you are in prison may be complicated and may require you to take several smaller steps rather than just one big leap.

Before you take any steps to make contact with your children, it is important that you really think about the commitment you can make to your children and what you are willing to do on a consistent basis. It is very hard on children to have a parent drop in and out of their lives.

Once you have decided that you really want to see if starting a relationship with your children is possible, the next thing you will need to consider is what steps you might need to take. Unless you've been ordered by a court not to have any contact with your children or their other parent (or caregiver), you might consider writing a letter to the children's caregiver and see if they are open to the idea of you trying to establish a relationship with your children.

If you had a pretty good relationship with the other parent or caregiver, they may be willing to help you establish a relationship with your children. If you don't have a very good relationship with your children's other parent or caregiver, you may need to try and resolve some of the issues between the two of you before you can move forward with establishing a relationship with your children. It's important to remember that building any relationship takes time and trust. You might need to move forward slowly and gently. Hopefully, you and the children's other parent or caregiver will try and work together to find out what's best for your children, even if you are unable to resolve all of the problems between the two of you.

If the other parent refuses to allow you to have any contact with your children, you may need to go to court and ask for visitation or other contact with your children. This is more fully discussed on page 29 ("Allocation of Parental Responsibilities").

What can I do to emotionally cope with being separated from my children?

How well you deal with your incarceration will have a direct influence on how well your children cope.

You may have feelings of regret, loss, depression, guilt, anxiety, or helplessness because you are separated from your children. You may also be afraid of being rejected by your children or resentful that your children are bonding to someone else while you are in prison. You may also feel angry that you are in prison or feel that you were treated unfairly by the criminal justice system. Because your reactions will affect your children, it is important that you start with yourself and try to deal with these emotions so that you can best help your children in their adjustment.

The following are some things you can do to help you deal with your separation from your children:

- **Acknowledge your feelings.** It is okay to express your feelings whether you have contact with your children or not. If you deny your feelings, you may just shut down and not be able to be there for your children.
- You may want to **write down your thoughts and feelings** on a regular basis in a journal.
- **Make a list of your personal strengths** and how you have survived so far.
- **Talk with other parents who are incarcerated about their experiences.** They may feel the same way or have a different perspective that might help you.
- **Create and use your support system** of family, friends, or a spiritual counselor. It is OK to reach out to others for help.
- **Learn as much as you can about child development and parenting** from books in the prison library or through parenting programs offered at the prison.
- **Set realistic goals for yourself** about what you can do to be involved in your children's lives and do those things.
- **Try to find ways to reduce your stress** whenever possible. Regular exercise, prayer, or meditation may help.
- **Be patient with yourself, your children, and their caregiver.** You are all going through a stressful time.

One incarcerated mother said, "I shut all my feelings up … I didn't want to get attached. The first time I held my daughter she was 9 months old."

Although it can be very difficult and painful, trying to work through some of these feelings might help you adjust better, which will strengthen your ability to help your children adjust.

As one incarcerated mother said, "It's OK to express your feelings about being away from your kids." Another said, "It made me feel better to know everyone else was feeling like I did [about missing my kids]."

Even as you work through some of these feelings, it is important that you are careful about sharing all of your emotions with your children. Although it is very important to be honest with your children and to explain how you are feeling to them, remember that children will take your feelings personally. So, if you are angry and express that in front of your children, even if you aren't angry with your children, they will think you are mad at them. Also, if you are really sad when you are with your children, it may make them feel helpless and overwhelmed.

It is OK for you to be angry, sad, or depressed, but it is better to use your support system to help you deal with your feelings—not your children. They can't handle all their stress and your stress, too.

Remember that your children are affected by what you say *and* how you say it. Try to prepare yourself before a visit or phone call with your children. If you are upset right before a visit with your children, take a few moments to prepare yourself. Taking a few deep breaths or counting to ten may help you get in a better frame of mind to be around your children.

Maintaining a Relationship with Your Child.

What are some of the factors that may affect how my children react to my incarceration?

The way your children may react to your incarceration is based on a number of complicated factors. Each child is different and will react differently. Their feelings and behaviors may also change over time.

Some of the factors that may influence their reactions include:

- Their age
- Their relationship to you prior to your incarceration
- Whether they were living with you prior to your incarceration
- The length of your prison sentence,
- Their feelings about the crime for which you were convicted
- Their relationship to their current caregiver and the stability of their current homelife
- Whether they are separated from their brothers or sisters
- Whether older children are taking responsibility for caring for younger brothers or sisters
- How other people treat them because you are in prison
- The amount and quality of contact you have with them while you are in prison

Incarceration of a parent, like other forms of separation (divorce or military service), can be a very traumatic experience for a child.

You, your children, and their caregiver will have to adjust to changes in your relationship in three major phases:

1) the initial separation at the time of your arrest and the resulting loss of contact between you and your children,
2) the enduring or ongoing separation between you and your children during your period of incarceration, and
3) the reunification period upon your release.

How are children affected by having a parent in prison?

This is a very difficult question. Although every child and every situation is different, studies have found that children separated from a parent due to incarceration have some common emotional and behavioral reactions.

Emotional reactions: (common feelings children may have)

- Sadness, grief, low self-esteem, loneliness, or depression because of being separated from you or feeling rejected because you went away. Children, especially younger children, may believe they did something wrong to make you go away or that you went away because there is something wrong with them.
- Confusion or feeling helpless because they don't understand what has happened or don't know how to change it to make it better
- Fear, worry, anxiety about your safety and their safety
- Anger at you, "the system," and/or their caregiver for being separated from you
- Guilt because children may think that they did something to make you go away
- Difficulties in trusting people or fear of getting close to people

- Expectation of being rejected in other relationships
- Shame or embarrassment if other people make fun of them for having a parent in prison or otherwise speak badly of you

Behavioral reactions: (how children may act)

- May withdraw from friends and family
- May have problems sleeping or have bad dreams
- May have problems in school, including: difficulty concentrating, lower grades, missing classes, dropping out of school, becoming disruptive in school, or getting into fights
- May start making up stories or not telling the truth
- May abuse drugs or alcohol
- May get in trouble with the law
- May have developmental problems (for example, have trouble learning language skills)
- May "regress" and start acting younger than their age (for example, wetting the bed, clinging)
- May have difficulties bonding to their own children later in life

In addition to coping with the separation from you, children may also have to deal with the stress of adjusting to someone new taking care of them, living in a new house, going to a new school, and/or meeting new friends. Also, most children experience what is called "enduring trauma" due to the ongoing period of separation caused by incarceration.

What are the most important things that I can do to help my children adjust to having a parent in prison?

All parents and children have strengths and ways of getting through separation due to incarceration. Things that you can do to help your children the most are:

- Make sure your children have a stable living arrangement while you are in prison
- If possible, keep your children together in one home during your incarceration
- Choose a good caregiver to take care of your children while you are in prison
- Make sure your children have enough emotional support from family, friends, teachers, and others
- Have consistent and frequent communication and contact with your children while you are in prison

The most important messages you can tell your children over and over while you are in prison is that you love them, that you are OK, and that they are going to be taken care of.

How do I talk to my children about being in prison? What do I tell them?

As one incarcerated father said, "The main thing is that line of communication—you got to keep it open."

Your children will probably have many questions. Some of the questions you may need to be prepared to answer include:

"What is going on?"

"Why did you go away?"

"Where will I live?"

"Is it my fault you went away?"

"Who will take care of me?"

"When will I see you again?"

Continued on page 14

What can I do to help my children adjust during my incarceration?

When first incarcerated

- Reassure them about your safety and well being. Tell them about your day, and describe where you live. If children have some idea about what your life is like, it might help calm their fears about your safety.
- Answer any questions your children may have. Reassure them that they are OK and that they will be well cared for. Depending on the age of your children, you might want to discuss how long you will be in prison.
- Help make arrangements or know where your children are going to live while you are in prison.
- Talk with your children about how often you can call, write, or visit with them so they know what to expect. Above all else, be as consistent as possible.
- Know the hours and regulations for visitation so that you help the caregiver make arrangements for visits, if possible.

During your incarceration

- Find out as much as you can about your children's day-to-day life, including how they are doing at school (you can ask either the teacher or the caregiver to mail you copies of report cards), who their friends are, and what activities they are involved in. That way, you'll have things to talk about either during visits or through letters and telephone calls. This will also help you feel more connected to what is going on in their lives. Let them know you are still a part of their lives.
- Have regular and consistent contact with your children through visits, phone calls and letters. Tell your children often that you love them and how important they are to you.
- Have close contact with your children's caregiver to see if they need your assistance with anything regarding your children.
- Find out if the prison offers any special programs for parents (if the prison has a program where you can read a book to your children into a tape recorder and send the tape to your children; or if the prison has games in the visiting room.) If the prison doesn't, you might talk to officials to see if it's possible to start a program.
- Seek outside support for your children if you think they need it from teachers, spiritual counselors, or community programs.

During visits

- Be creative with your children. Play games, tell stories, read books, or draw pictures. Before the visit, plan activities - it can make the visits more fun.
- Tell your children that you love them and talk about what's going on in their lives. Consider following up the visit with a letter or phone call to thank them for coming for a visit and to follow-up with anything you talked about during the visit. For example, "Let me know how your test goes on Monday."
- Encourage your children to discuss their feelings with you – both good and bad. They look to you for understanding and guidance. Be a good listener.
- Above all, be patient! This is a difficult situation for everyone involved. Children have good days and bad days, too. Not all visits are going to go well. It doesn't mean that your children don't love you or that you shouldn't have future visits.

Continued from page 12

"What do I do if people say mean things to me?"

"When will things be normal again?"

"What if something bad happens, and you're not here to help?"

"Are you safe?"

Some questions are easier to answer than others. One of the hardest questions to hear and to answer will probably be, "When are you coming home?"

Your answers to these questions, and other questions your children may have, will depend mostly on their age. As your children get older, they may ask you more complex questions or want more detailed information. Be prepared to discuss and answer questions about your incarceration and any concerns your children may have. It's important to remember that their fears are real. Uncertainty causes a lot of stress for children.

Try to provide them with answers that they can understand. After talking to your children, you might want to ask them whether they understood what you said. One way to see if your children understand what you are saying is to ask them to repeat what you said, using their own words.

Children of all ages will sometimes have difficulties in talking about their feelings. They may be confused about their feelings or may not know how to express how they feel. It's important to remember that your children are trying to cope with a lot, too. Their emotions are real for them - even if they may not make sense to you.

Remember to listen to your children closely. If you don't understand what they are trying to say to you, you can always ask them questions. In addition to listening to your children, it is important to **watch what they are doing.** If you ask them how they are, and they say they are doing "fine," but they are skipping school, getting into fights, using drugs or alcohol, or withdrawing from their family and friends, you can tell they aren't "fine." You may want to talk to them, their caregiver, or others close to them to find out what you can do to help them.

Although every child matures at his or her own pace, the following examples may help you figure out how to talk to your children and answer questions they may have.

For younger children (5 years old and under)

At this age, children will probably be most concerned about where you are, when they will see you again, and when you are coming home.

This is how one family answered the questions of a young child whose father will be in prison for a very long time:

> *The child asked her grandmother, "Where is my Daddy?" The grandmother told her, "Your Daddy lives far away in a big house with lots of friends." When the child asked, "When is Daddy coming home?," the grandmother told her, "Daddy has to live there for a long time, but don't worry, you'll be here with me. He can't come visit us, but we will go visit him."*

Try to use words that your children can relate to and understand. For example, one incarcerated father told his young child that, "Daddy is in grown-up time-out." This child was too young to understand what a prison is, but since they used "time out" as a way to discipline the child, the child could relate to those words. One incarcerated mother whose child lives in another state told her child that she was away at school and couldn't come home for a while. Another mother who is incarcerated told her son that she had to go away because, "Mommy hurt someone."

At this age, children don't generally understand what a prison is, or why someone is sent to prison, or even what "time" is. You want to answer your children's questions, but you don't have to give them details they won't understand. You can give them more information as they get older and mature. As a general rule, you can tell that your children are ready for more detailed information when they start to ask you more complicated questions.

Children in elementary school (6-10 years old).

At this age, children may begin to want more information and start to ask more questions. From about 7-8 years old, children are beginning to develop a sense of right and wrong. Children may begin to understand what a prison is and that people are sent to prison because they did something wrong.

If your child asks you why are you in prison, you could tell them, "Mommy did something wrong and can't come home for a while." One incarcerated father told his child, "Daddy made a mistake and has to pay for that mistake."

Children at this age are also starting to have an understanding of what time is, so if your child wants to know when you are coming home, you can answer that question more specifically, if you know. It will help them understand how long you will be apart if you relate it to something in their lives. If you just say, "Daddy is coming home in __ years," they may not understand that as easily as if you said, "Daddy will be home when you are in ___ grade or when you will be ___ years old." Again, the important thing to remember is to use words that your children can understand and relate to in their own lives.

Your children may be asked questions or teased by other children because you are in prison. Talking about this issue with your children in advance may help prepare them if they are faced with questions they may not know how to answer. You could ask your child, "Do people ever ask where your Daddy is?" If the child says, "yes," you can ask them, "What did you say?" If your child says, "no," you could ask them, "If someone asks you where your Daddy is, what would you say?"

By asking some questions and finding out what's going on in your children's lives, you can help prepare your children so that they feel comfortable about what they say to other people or friends. It's common in elementary school for teachers to schedule "parents day" events where children share information with other students about what their mother or father does for a living.

Talking with your children ahead of time can help them prepare for these types of situations which otherwise might be awkward or uncomfortable for them. For example, one incarcerated father works in the kitchen at the prison. When his daughter is asked what kind of work her father does, she tells people that he is a cook.

Special Considerations in Parenting Teenagers While Incarcerated

Research shows that 40 percent of teenagers who have an incarcerated parent visit them less frequently during their teenage years. Although this can be understood as "normal" teenage behavior, it makes parenting a teenager from prison a little more challenging.

During the teenage years, children are developing a sense of their own identity (separate from their parents) and becoming more independent. Although teenagers need parental guidance and structure, being more independent is normal and a part of healthy development. Even if you were living at home with your teenager, you would probably be

seeing less of him or her because they want to spend more time with their friends. Looking at the situation this way may help you if your teenager seems less interested in having the same kind and level of contact with you when they he or she were younger.

As a parent, finding the balance between letting your teenager have enough freedom to mature but having enough rules to protect them is quite a challenge, especially since you are in prison. With teenagers, it is particularly important to let them know what your expectations of them are. For example, if it is important to you that your teenage graduate from high school - you need to let them know that and encourage them in this goal. If you have rules around curfew, drug or alcohol use, or sexual activity, you need to have a serious conversation with your teenager.

The challenge for all parents who have teenage children is to figure out how to enforce the rules. Since you are incarcerated, the rules will need to be enforced primarily by the children's caregiver. You can play a very important role in supporting the caregiver so that the children are getting the same message from you and the caregiver.

The teenage years can be a turbulent time. Creating a sense of identity, self-esteem, and preparing for adulthood can be very stressful, and teenagers can make mistakes or poor decisions that can affect the rest of their lives. Having significant attachments with adults in their life and having consistency in their living arrangement will be the two major factors contributing to their successful adjustment.

Early teenage years (11-14 years old).

During the early teenage years, teenagers are entering puberty and are developing a sense of their own identity. In doing so, they want more control of their lives and will start testing limits and boundaries. They are becoming more emotionally aware, are beginning to think about life goals and are starting to want to spend more time in group activities with their friends.

Sometimes they will act very dependent on you (more like they did when they were younger) and sometimes they will try to be very independent of you and even seem like they are pushing you away. This is normal. The most important thing you can do at this time is to talk with them and make sure the lines of communication stay open. This will be a challenge. At this age, you can probably talk pretty straight with them in answering their questions. You'll know that they are ready to handle more details by the questions they ask. The most important thing is to let them know that they can ask you any question.

Throughout their teenage years, your children's friends will be very influential in their lives - sometimes even more influential than the adults in their lives. It's important to always know who their friends are and what they do when they are together.

Later teenage years (15-18 years old).

During the later teenage years, children are developing a deeper sense of their own identity, want more independence, have more mature problem-solving abilities, are exploring sexuality and relationships with others, are more sensitive to being "different," and are thinking more seriously about their future and life goals. It is a great time to encourage your teenager to be thinking about their future and what they hope to accomplish.

It's very important for teenagers to have goals that they help to create. Teenagers that don't have a sense of a future or goals can easily feel lost. Teenagers who feel lost or feel that they don't have a future can easily get into deep trouble in school, at home, or with the law.

Sadly, many teenagers today don't have a sense of hope for their future.

As their parent, there are two primary areas where you can have the greatest influence in their lives:

- Encourage them to have hope and self-esteem; let them know they are important people to you, their family, and the wider community; and,
- Help guide and support them in developing goals and life skills they will need in their adult lives.

Your teenager may be getting their first job and need guidance on how to spend and save the money they earn. They may be preparing to live on their own in the near future. Learning how to get a job, how to manage money and pay bills, how to find an apartment, how to be in a healthy relationship, how to solve problems—all of these are important life skills they need to learn as they prepare to live on their own.

Staying in contact with your teenager is the most important thing you can do. As one mother in prison said, "Talk, ask questions, and listen, listen, listen to your teenagers." If you think your teenager is having problems, don't ignore them. Try to think of ways you can get extra support for them from other family members, the school, churches, or other community groups (like Big Brothers/Big Sisters). It is healthy for teenagers to pull away from their parents - it doesn't mean that other adults can't play important roles in their lives.

Being a teenager is a lot like being on a rollercoaster and their moods and attitudes can change a lot from month to month, week to week, day to day, or hour by hour. This is normal, even though it is probably one of the most frustrating and confusing things about trying to parent a teenager. One week they are angels - the next week they will test your last nerve. Try to be patient and understanding. It will help if you can stay grounded. Just because they are on a rollercoaster doesn't mean you have to be on one, too.

All children, but especially teenagers, are particularly sensitive to criticism. Although it is important to talk to your teenagers about mistakes you think they are making, it is also very important that you be positive and encouraging with your teenagers. Tell them you love them and compliment them on their accomplishments. Even though you might think that your teenagers don't care what you think - they do. They especially care about what you think of them.

What can I do to make sure my children are getting the help they need?

One of the most important things you can do as a parent while you are incarcerated is to make sure that your children's needs are being met. There is an African saying that, "It takes a whole village to raise a child." Try and be as active a parent as possible, but don't be afraid to ask for help from others if you think it will help your children. Because you are in prison, there are some limitations on what you can do yourself. That doesn't mean that there is nothing you can do. For example,

- If you think your children are having problems in school, don't be afraid to write or call your child's teacher or school counselor to see what can be done to address the problem.
- If you think your children are having some emotional difficulties, you could try and find a therapist you trust to counsel them.

  One mother in prison said that the best thing she did was to get counseling for her child. You may ask your relatives or friends

to be a little more involved in their lives so that your children have a strong support network.

- If your children are having medical problems or don't have medical insurance, you can see if they would qualify for health insurance under Medicaid so that they can see a doctor (see page 35).
- If your child expresses an interest in an activity (music, sports, computers, etc.), see if you can find an after-school program in their neighborhood.
- It is very important to have a good working relationship with the children's caregiver so that you can work together as a team.

The best thing you can do is be an active parent. Because you are in prison, this may require creativity and patience on your part. Not only will your efforts help meet your children's needs, they will also help you be well informed about your children so that you are better prepared to meet their needs when you are released.

What can I do While in prison that would help me be a better parent?

Many prisons offer parenting classes. Some prison libraries may also have reading materials available on child development and parenting. Educating yourself and strengthening your parenting skills can only help you and your children. It's important to remember that anything you do to help yourself also helps you be a better parent. Many prisons offer GED, alcohol/drug treatment, anger management, or job training that might help you build your skills so that you are better prepared to care for the needs of your children once you are released from prison.

Also, some prisons have more child-friendly visiting rooms at the prison than others. If the prison you are in does not have a special visiting area for children with games and books available, ask the Warden if it would be possible to create one.

If you are artistic, offer to paint a mural on the visiting room wall that would be cheerful for children. Having a child-friendly environment for visiting can help make your children feel more comfortable and make the visits more fun. If you have ideas for other programs that would help parents in prison, talk with prison officials to see if it would be possible to start a new program.

How important is visitation with my children while I am incarcerated?

Some people believe it is too traumatic for children to visit with a parent who is in prison.

Research shows, however, that most children benefit from contact with their parent even if it occurs in a prison.

It has also been found that the sooner children can have contact with their parent following a separation, the better. Although visiting a parent in prison can be emotional for children, the long-term benefits usually outweigh the difficulties. The first visit is usually the hardest, and visits with your children usually become easier when they are as regular and as frequent as possible.

It may be helpful to prepare your children for the visit through letters or phone calls so they will know what to expect. For example, you can let your children know what the visiting room is like, what activities you can do together, and how long of a visit you can have. It is also important for you to let the caregiver know of the prison rules regarding visitation, like dress codes, so you don't have problems with the visit.

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Suggestions for Making the Most of Visits

Infants & Toddlers (0 - 3 Years Old)

Play Peek-a-boo, patty cake, talk; hold and cuddle them (if allowed)

Draw pictures, count with them, play the face game. Example: happy face, sad face, surprise, etc.

Tell them a story.

Tell them you love them.

Preschoolers & Kindergarten (4 - 6 Years Old)

Draw pictures for your children to color.

Make up short stories using their names as the main character.

Recite poems and nursery rhymes.

Have them practice their numbers and the alphabet.

Read them a story.

Talk about favorite things you've shared with them.

Listen, Listen, Listen, Listen.

Tell them you love them.

School Age (7 - 10 Years Old)

Make up word puzzles.

Develop ongoing games and stories for both you and your children to participate in.

Play cards, dominoes, Legos, read books, use material available at the prison.

Draw pictures, and encourage your children to do the same.

Listen, Listen, Listen, Listen.

Tell them you love them.

Early Teenage Years (11 - 14 Years Old)

Talk with them. Communication is one of the most important things you have to offer.

Ask them about what's going on in their life. (School, friends, activities)

Ask how they are feeling, what you can do to help support them, especially if they help care for younger siblings.

Participate in games, cards, whatever is furnished by your facility.

Listen, Listen, Listen, Listen.

Tell them you love them.

Later Teenage Years (15 - 18 Years Old)

Ask about how they are doing in school and any plans for college

Talk with them about their future plans for work, living on their own, and other "real life" issues, like drugs or alcohol and relationships

If possible, you might try and visit with your teenager alone so that you have some time to talk privately with them.

Listen, Listen, Listen, Listen.

Tell them you love them.

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Obviously, visits allow you and your children to be together, which is very important. In addition to providing closer contact and fuller communication, visits can also make the separation a little easier on you and your children. Frequent, consistent, and quality contact with an incarcerated parent has also been shown to help families successfully reunite after a parent is released.

What can I do if my children are not able to visit me very often?

Even if you aren't able to have regular visits with your children, there are still lots of things you can do to make your interaction together more fun. One father in prison draws a picture that he sends to his daughter so that she can color it and send it back to him. Another father and his daughter write a children's story together. You could write part of it and send it to your child to write some more. This could go back and forth until the story is done. Then you could start another story. You can also do crossword puzzles together by mail - where you do part and then your child does part. With some creativity, there are lots of ways to have fun with your children.

What if my children have difficulties during or after a visit?

It is normal for children to have emotional and/or behavioral reactions during or following a visit. This is most often due to the difficulty in reconnecting and then separating again. It is very similar to what children experience when custody is shared between parents who are divorced.

If you are having a visit with your children and they won't talk to you or seem withdrawn, don't push it. You can continue to have a visit with the adult who is there with them and create an opportunity for your children to join the conversation. Don't take it personally if your children are showing some strain during the visit. Your children probably aren't rejecting you; they are just trying to manage their feelings the best way they know how. Be patient - your children are stressed out, too. If your children are having a really tough time with the visit, you may want to cut it short. Adults have bad days, and children have bad days, too. Try to be flexible and adaptable.

If your children get really upset when it is time to end a visit, the best thing you can do is tell the children that you love them, that you will see them again, and go ahead and leave. Let the caregiver take care of comforting your child at that point. Try to stay calm, and don't prolong the process. If your child is really upset, you could call or write later that night to say you love him or her and see if he or she wants to talk about it. It's OK if they don't want to talk about it. They may in time.

What are the legal reasons I should have regular visits with my children?

Visits are very important for legal reasons. If you do everything possible to keep up regular contact, including asking for visits with your children, you reduce the chances of losing custody of your children permanently. Child welfare authorities consider parent-child visitation as one of the most important indicators of parental interest in a child. Courts consider regular visits as one factor in evaluating your ongoing relationship with your children and whether it is in their best interest to be with you.

Should I keep records of my contact with my children?

If you are involved in a legal case involving custody of your children, you should keep a written record or log of the type and frequency of contact you have with your children. You may need this evidence in court. Having a record might also help you later when you are

released from prison and need to show a court that you are ready to take care of your children or have contact with your children. Write down a list of all visits, letters, and phone calls. Be sure to note the date and any other important information. See page 81 for an example.

What can I do if the caregiver will not, or cannot, bring my children for a visit?

Consider the reasons the caregiver gives for not being able to bring the children for a visit, such as not having the time, money, or transportation to the prison. Be both patient and persistent in finding ways to make the visitation possible. You may want to contact family, friends, or community groups to see if they can assist the children's caregiver in making visits with you possible. See page 76 in the resource section for groups that help with transportation.

If you can't work something out with the caregiver, you may also need to consider filing a "Motion for Allocation of Parental Responsibilities" to ask a judge to order that you have visits or telephone calls with your children. See page 29 for more information on Allocation of Parental Responsibilities cases.

If you are currently involved in **any** type of case involving your children (allocation of parental rights; divorce; Dependency & Neglect; paternity), you can request any time the judge orders visits with your children. (See sample letter on page 55. However, a judge is not likely to order visits if it is a hardship for the caregiver. In that situation, you can increase your chances that the court will order visits if you can make arrangements for someone else to transport the children.

Even if you aren't able to have visits with your children, don't forget that you can always stay in contact with your children through regular telephone calls and letters.

Building a Relationship with the Caregiver for your Children

While you are incarcerated, your children need someone else to care for them. This may be their other parent, a relative, or a foster family. It is important that you make an effort to build a good relationship with the caregiver regarding the care of your children. Getting along with the caregiver will help make your children's lives easier and help you maintain a relationship with your children. It's also important that the caregiver has a certified copy of your children's birth certificates so that he or she can enroll them in school or apply for financial assistance from the state.

How important is communication with my children's caregiver?

Regular communication with your children's caregiver while you are incarcerated is very important. It is primarily your responsibility to initiate and maintain contact with your children's caregiver and maintain a "working relationship" with them. You may have to address problems between you and the caregiver to be able to communicate about your children during your incarceration. If there is conflict between you and the caregiver that you are unable to resolve, you may need to limit your discussion to the immediate concerns about your children. Hopefully, you both have your children's best interests at heart.

How does my incarceration affect the caregiver?

When a parent is incarcerated, the caregiver for their children needs support, too. Caregivers who are relatives, especially grandparents, may be coping with their own feelings of grief, loss, or anger that you are in prison. **It is important to remember that often caregivers have drastically changed their lives to take on the responsibility of raising your children.**

The caregiver may also be struggling financially to raise your children. The shame and stigma that is associated with incarceration may also affect the caregiver. It is important to understand that taking care of children whose parent is incarcerated is often difficult, especially when you are serving a long sentence.

There may be a support group or family counselor with special knowledge of incarceration issues available for your children's caregiver. There are also things you can do to let the caregiver know that you appreciate him or her taking care of your children. Sending birthday cards or holiday cards to the caregiver can mean a lot. See page 76 for information on resources that may help the caregiver of your children.

What if I have problems with my children's caregiver?

It is important to try and resolve problems between you and your children's caregiver. Try and treat the caregiver with respect even if you have disagreements. If there is a lot of conflict between you and your children's caregiver that you are unable to resolve, it is important that you seek help with the situation. If you are involved in a legal case regarding your children, you may ask the judge to set the case for a mediation to try to reach an agreement. Otherwise, the judge will make the decision.

If you aren't involved in a legal case, and the caregiver refuses to respond to your requests for contact, you may need to file an action in court in order to have contact with your children. It is better for your children if you try to work things out directly with the caregiver or with the help of a third party. This way your children are not stressed by ongoing conflict between you and the caregiver.

How do I communicate and work with foster parents?

Non-relative caregivers, like foster parents, may or may not be as open to working with you because you are in prison. Foster parents may be more hesitant to bring your children for visits with you at the prison or accept collect telephone calls.

If your children are in foster care, you will need to make a special effort to build a working relationship with the foster parents and the social worker. In some instances, you may not have direct communication with the foster parents, and all communication with your children will occur through the social worker. In other situations, you may be able to write or call your children at the foster family's home. The first step is to contact the social worker to discuss issues like, how the parties (you, the social worker, and the foster parents) are going to work together and how to arrange contact with your children, including visitation, telephone calls, and letters to your children.

If you are having any difficulties working with the foster parents, try and see if your lawyer or the social worker can assist you in resolving the problem.

How should the caregiver be involved when I am released from prison and ready to take care of my children?

It is important to remember that transitioning back into your children's lives once you are released from prison is an adjustment for you, the caregiver, and your children. This process can be very stressful for everyone involved. Some of the issues include:

- Adjusting to your reintegration as a parent
- Shifting child-care and household responsibilities

- Continuing the relationship between the children and the caregiver during this process

Sometimes there can be conflict between you, the caregiver, and, even your children during this process. Caregivers may be hesitant to return the children to your care because of their own bond with the children and their desire to continue to take care of them. Caregivers may also have concerns about your ability to responsibly care for your children.

Some of the things you can do to help make this adjustment process smoother is to:

- Plan ahead of time so that you and the caregiver can discuss and agree on how you are going to reintegrate into the family.
- Have regular contact with the caregiver while you are in prison so that you have an ongoing relationship with him or her.
- Plan for a gradual change, if possible - where you have gradually more contact with your children to full-time care.

Caregivers and children may experience a sense of loss due to the change in their relationship. This is normal, and you shouldn't feel like your children don't care about you if they express sadness over leaving their caregiver.

- Understand that your children need time to make this adjustment, too.

  In addition to adjusting to having more time with you, children may also have to adjust to living in a new place, going to a new school, or making new friends. All of this can be very stressful for children.

- The most important thing for both you and your children is that you have REALISTIC expectations about the reunification process; it will not happen immediately or magically. Successful reunification will require TIME and patience.

- **You should give yourself enough time to adjust and get your life together before your resume the full-time care of your children.**

  This means getting a place to live, finding work, developing your own support system, and stabilizing your own life. In the long run, it will be better for both you and your children if you can get yourself established before adding the stress of taking on the full-time care of your children.

Even if your children will not be living with you full-time after you are released, it is important for you to remember that your children will benefit from a gradual change so that they can adjust to this new phase in your relationship.

How do I reunite with my children if they are in foster care?

Federal law states that the primary goal of foster placement is the return of the child to his or her natural parents. Federal law also requires that reunification services be provided to families to assist them in this process. Parents who are in prison will need to work with the social worker in order to reunite with their children. Before you are released from prison, you should contact the social worker so that you know what you need to do in order to be reunited with your children. Ultimately, you will need to go to court because the judge will need to approve the return of your children to you.

What about the relationship my children have formed with the caregiver?

If you are fortunate, your children will have formed a positive attachment to their caregiver.

It will be helpful during reunification for you to recognize your children's feelings toward their caregiver and understand your children are also going to experience feelings of loss as they return to you as their parent. Try to find ways to support both your children and the caregiver during the transition period. You may want to write a letter to the caregiver from you and your children thanking them for being there for all of you while you were incarcerated. This is a good way to bring both recognition and closure to the role of the caregiver so you all can move forward.

Making Custody Arrangements for Your Children

Making custody arrangements for your children while you are in prison is not about giving your children up. Rather, it is about you making sure that your children have a stable living arrangement and that the person taking care of them has the proper legal authority to make decisions regarding them while you are in prison. Being actively involved in making proper custody arrangements may also help prevent you from losing permanent custody of your children.

There are different ways to give someone legal authority to take care of your children while you are in prison. Some custody arrangements do not require that you go to court, while others do require court involvement. This section is intended to help you decide if you need to make specific custody arrangements for your children while you are incarcerated.

What if I am married to the children's other parent while I am incarcerated?

If you are married to your children's other parent, and you agree that the children should live with him or her, **you probably don't need to do anything right now.** The other parent has all the necessary legal authority to take care of the children, and no other arrangements need to be made.

What are some things I should be thinking about when considering different custody options?

Making custody decisions regarding your children is very serious, and you should think about it carefully. You may want to consider the following when making custody decisions for your children:

- How long you think you might be in prison. What will work best for you, your children, and their caregiver will depend, in part, on how long you will be in prison.
- Depending on the age of your children, it is important to talk to your children about who they want to live with while you are in prison.
- It is important that you speak with the person you want to care for your children to make sure they can take care of your children and to discuss how both of you are going to work together to parent your children.
- **It is important that you get along with the person you want to take care of your children because he or she will be making the day-to-day decisions about your children, including child-rearing, education and medical decisions, and contact with you.**
- Make sure you understand your legal rights for each custody arrangement before you decide which way to go. They are explained throughout this section. Think carefully about where you want your children to live.

Power of Attorney (Colorado Revised Statutes, Section 15-14-601)

Is there a way to give legal authority to a relative or a close friend to take care of my children without going to court?

Yes. You can give legal authority to a relative or close friend to take care of your children through a document called a "Power of Attorney." See Colorado Revised Statute Section 15-14-601.

This section discusses four legal custody arrangement options summarized below:

Power of Attorney

- Doesn't require you to go to court
- Gives another person decision-making powers about child-rearing, education, and medical
- Can be changed by children's other parent
- Short-term option; must be renewed every 12 months
- You can cancel at any time
- Person who has POA may qualify for TANF, Medicaid, food stamps, and SSI for your children
- You keep your full rights as a parent

Guardianship

- Requires you to go to court
- Gives a person more power to make decisions than a Power of Attorney
- Gives legal custody of your children and the right to consent to marriage to the Guardian but adoption requires Court approval.
- Children 12 years or older must agree with the person you choose
- Only a judge can revoke or change the Guardianship
- You usually use a Guardianship for a long-term custody arrangement
- Person who has Guardianship may qualify for TANF, Medicaid, food stamps, and SSI for your children
- Although you are still legally the parent, you have less decision-making authority

Allocation of Parental Responsibilities (this used to be called a "Custody" case)

- Requires you to go to court
- Judge decides where the children will live, visitation with you, and child support
- Custody can be given to one parent, both parents, a relative or non-relative
- Judge decides what your rights are as a parent

Adoption

- Requires you to go to court
- Your parental rights must first be relinquished or be terminated
- After adoption, you or your relatives (including other siblings) have no legal right to have contact with the adopted child unless future contact is agreed to by the adoptive parents or court ordered
- Your child support payments end
- Your children have a permanent home
- Your parental rights are ended

What is a Power of Attorney?

A Power of Attorney is a legal document that allows another adult to make decisions regarding your children. Under Colorado law, you must fill out a new Power of Attorney ("renew" it) every 12 months and send it to the person taking care of your children. It allows your relative or friend to enroll them in school, apply for financial assistance from the state, and authorize medical care. It does not allow the person to give permission for your children to be adopted or married. Even if you give someone a power of attorney, the children's other parent still keep the right to make decisions regarding the children. Example: You are an incarcerated mother. You give a Power of Attorney to your aunt. Your aunt wants to change where the children go to school. The father wants the children to go to the same school. He can try to stop your aunt, and the school would have to make the decision who has the proper legal authority.

Why would I choose to give someone a Power of Attorney?

A Power of Attorney can be given quickly to someone who is willing to care for your children. It is a simple process, and you do not have to go to court. Giving a Power of Attorney to someone is not the same as giving them legal custody. Only a judge can take "legal custody" of your children away from you and give it to someone else. Do not confuse "legal custody" with "physical custody." Physical custody is a more informal situation in which a caregiver is raising a child in his or her home without a transfer of legal authority. A Power of Attorney gives someone physical custody which means day-to-day care of your children and where they live. **You do not lose any of your parental rights by giving someone a Power of Attorney.**

To whom can I give a Power of Attorney, to care for my children?

You can give any adult a Power of Attorney to care for your children.

How do I give a Power of Attorney?

All you have to do is fill out the form on page 59, sign it, and have your signature notarized. Your case manager may be able to notarize the Power of Attorney form. Mail the original, signed form to the person you want to care for your children. It is important that you send the actual form that you sign to the caregiver. Keep a copy of the Power of Attorney for your records. As soon as the person to whom you are giving Power of Attorney receives the signed form, he or she has the authority to make decisions regarding your children.

How do I cancel a Power of Attorney?

You can cancel a Power of Attorney at any time. Whenever you want to cancel your Power of Attorney, just write to your relative or friend and tell him or her that you want to "revoke" the Power of Attorney.

Can a person who has Power of Attorney receive financial assistance for caring for my children?

The person caring for your children may be eligible for welfare (TANF), Medicaid, Social Security Income (SSI), food stamps, and/or housing assistance. See page 35 for more information. It is important for you to know that as the children's parent, you may be required to pay back the state for any money given to help support your children even while you are still in prison.

Legal Guardianship (Colorado Revised Statutes, Section 15-14-301)

What is a Legal Guardianship?

Legal Guardianship is more formal than a Power of Attorney because it is set up in court. A Legal Guardianship gives the Guardian more decision-making powers than a Power of Attorney does. You do not have to give up your parental rights to set up a Legal Guardianship. A Legal Guardianship gives the Guardian the power to make decisions regarding child-rearing, education, medical or mental-health treatment.

A Guardian does not have the power to consent to the marriage or adoption of your children, unless your parental rights are terminated. A judge can order a guardianship for your children even if the other parent objects.

Why would you choose to give someone Legal Guardianship of your children?

If you think you might be in prison for a long time, a Guardianship is a long-term custody arrangement that you might want to consider for your children. In order to set up a Legal Guardianship you have to go to court.

Who can be a Legal Guardian for my children?

A Legal Guardian must be 21 years or older, and a judge must agree that his or her appointment is in the best interests of the children. A Guardian does not have to be a resident of Colorado. If your children are 12 years of age or older, they must agree with whom you choose to be the Guardian before the judge will order it.

How do I set up a Legal Guardianship?

If you have access to a law library, look up Section 15-14-301 in the Colorado Revised Statutes. There is a form you can use in the Appendix section. You can also write to the Clerk of the Court in the county where your children are living and request the forms. There may be a fee for the packet of forms. See Judicial Directory on page 63 for the court addresses. Once you have filled out the forms, you will need to file the forms with the court in the county where your children are living. There is a filing fee, but you can fill out an "Affidavit of Indigency" (see page 61) if you cannot afford the filing fee.

You will also have to send a copy of anything you file with the court to your children's other parent, any children over the age of 12, and the person who has been taking care of your children for the past 60 days so they are notified about your request to set up a guardianship. The court will set a hearing date. It is important that you inform the judge in writing that you would like to participate in the hearing either in person or by telephone.

How do I cancel a Legal Guardianship?

Although it is not impossible, it is difficult to revoke a Guardianship. Only a judge can change a Guardianship. If you want to end a Legal Guardianship, you will need to send a written request to the judge asking that the Legal Guardianship be cancelled and explain why you want the Guardianship changed. The judge may or may not agree with your request. Otherwise, a Legal Guardianship automatically ends when:

- The Legal Guardian asks to end it, and the judge allows it
- The children are adopted
- The children request a change in the Guardianship, if they are 12 or older

- A Legal Guardian dies
- The children become adults or are emancipated by a judge

Can a person who is a Legal Guardian receive financial assistance to care for my children?

A person with legal guardianship of your children may be eligible for TANF, Medicaid, SSI, food stamps, and/or housing benefits. Foster-care payments are not available for Legal Guardians unless the legal guardian is certified as a foster parent through Social Services and the child is in the custody of the Department of Social Services. See page 35 for more information.

Allocation of Parental Responsibilities (Colorado Revised Statutes, Section 14-10-123)

In Colorado courts, the word "custody" has been changed to "allocation of parental responsibilities." So while you read this resource guide and you see these words, think of "custody."

What is an Allocation of Parental Responsibilities case?

An "Allocation of Parental Responsibilities" case is a case in which the judge will decide who gets custody of your children, what visitation is ordered, what child support is to be paid, and any other issues affecting your children. Allocation of parental responsibilities can be decided in any of the following situations:

1) Divorce cases
2) Cases where the parents are not married but have children together
3) Cases where a person (not the parent of the children) has had the children living with them for at least six months and wants permanent custody of them
4) If you are married, do not want a divorce, but want the court to establish custody of your children to protect your parental rights, including visitation (like a Legal Separation)

The judge can appoint a person (either a Special Advocate or a Child's Representative) to talk to everyone and make a recommendation to the court about what is best for your children. The Special Advocate investigates and files a report with recommendations to the court. A Child's Representative is an attorney who represents the best interests of the child and files a report and all legal motions on the child's behalf.

If you want to have any say in these issues, especially visitation with you while you are in prison, it is important that you tell the judge and Special Advocate or Child's Representative what you want for your children.

Why would I choose to file an Allocation of Parental Responsibilities case?

If you and the children's other parent cannot agree who should have custody of your children, and you want the judge to order where your children should live while you are in prison, you could file an Allocation of Parental Responsibilities case. Because you are in prison, obviously the children will not be living with you. However, it is important to ask for parenting time (visitation) with your children.

Some judges may be hesitant to order visitation with you while you are in prison because they are concerned that visits in a prison setting could be harmful for your children. If you want visitation ordered while you are in prison, you may need to convince the judge that visitation would be a positive experience for your children.

It is important to let the judge know about any special visiting areas for children at your prison and any activities that you can do with your children during the visit. The judge may also be concerned about ordering visitation because of the hardship and expense of transporting the children to the prison. If transportation is a problem in your case, you may need to find someone else who can transport the children to the prison if you want visitation ordered by the judge. See page 76 for community groups in that may be able to help you.

You can also ask the judge to order telephone calls between you and your children and that you be kept updated on your children's lives by school report cards, pictures, and letters.

How do I file an Allocation of Parental Responsibilities case?

You can write to the District Court clerk in the county where your children live and request the forms. See the Judicial District list for courts and addresses on page 63.

If you want to file for divorce while you are in prison, check the law library for the forms or you can write to the District Court clerk in the county where your spouse lives and request the divorce forms. There is usually a fee. Allocation of parental responsibilities (custody of your children) will be decided as part of your divorce case.

Can someone else file for custody of my children?

In Colorado, anyone who has had physical custody of your children (meaning anyone that the children have been living with) **for at least six months** can ask the judge to give them permanent custody of your children, **even against your wishes.** The judge decides whether that person or you should be given permanent custody of your children.

What can I do if the other parent or caregiver does not follow the court order?

If a judge has entered an order that is not being followed by the other parent or caregiver, you (or your attorney) can file a Motion for a Contempt Citation or a Motion to Enforce Parenting Time with the court that entered the order.

You must include specific information including dates and times that the caregiver failed to follow the court order. Make sure to include your case number and the name of the children's other parent. You must send copies of the motion to the children's other parent or attorney and the special advocate or child's representative to notify them.

What if I want to change a court order regarding my visitation, child support, and custody of my children?

Once a domestic relations case has been filed, you can always file a motion requesting that the judge change his or her order regarding minor changes in parenting time if you can show that it would be in the children's best interest.

However, if you want to modify who has **custody** of the children for most of the time, you must show:

1) the child is in physical or emotional danger, or
2) the other parent agrees to a change in custody, or
3) the child has become integrated into the non-custodial person's house.

If you request that the judge change an order, you will need to send a copy of your motion to the other parent (or attorney) and the Special Advocate or Child's Representative.

Examples of when you might ask a judge to change an order include:

(1) If a judge didn't order visitation because the prison you are in is far away from your children and you are moved to a prison that is closer to your children, you could ask the judge to reconsider and order visitation.

(2) If you are released from prison and feel that you can provide for your children, you may request that the judge give you custody of your children or allow you to share custody with the other parent. Changing a child support order is discussed at length on page 49.

What if I want to get divorced or am served with divorce papers while I'm in prison?

If you or your spouse believe your marriage is irretrievably broken, you may file for a divorce or file a Petition for Allocation of Parental Responsibilities (custody). If you file either one of these actions, the court will enter an order regarding parenting time (time spent by each parent with the child), decision-making (joint or sole), and child support. While the judge often gives both parents joint decision-making, if you are incarcerated when you file the divorce action, the court may give the other parent sole decision-making power.

In addition to making custody decisions, the judge will also enter orders dividing marital property, marital debt, alimony, and child support, if appropriate. As an incarcerated parent, it is very important that you ask the judge to order visitation, or regular telephone contact, between you and your children.

Some judges are concerned about ordering visitation between children and an incarcerated parent visiting in a prison might be too traumatic for children or it may be too burdensome on the other parent to transport the children to the prison regularly. Therefore, it is important for you to let the judge know if the prison you are in has a special visiting room for children and see if you can make arrangements for someone other than the other parent to help with the transportation.

You may be able to arrange to have one of your relatives or friends agree to help transport the children to the prison or a community group. See page 76 for a list of groups that help with transportation.

If you are served with divorce papers while you are in prison, it is very important that you be actively involved in the case and be aware of the time-limit for filing an Answer because your future relationship with your children is at stake.

Things that you can do to be actively involved in the court case include:

- File a written request with the court requesting that you attend all hearings in the case either in person or by telephone (see page 53 for sample letter)
- Be prepared for hearings. Keep good written records of contact you have had with your children or efforts you have made to be in contact with your children
- Be able to demonstrate to the judge that you want to be, and can be, an active and good parent, even though you are in prison. Let the judge know if you have completed or are attending any programs since you've been in prison, including GED, drug/alcohol treatment, parenting classes, etc.

Getting divorced while in prison is difficult. Although you and your spouse may not be able to get along, it is very important that you try to communicate with each other as best you can because it is better for your children if you do.

Try not to bad mouth the other parent in front of your children or put your children in the middle of disagreements you may have with your spouse. Don't make them take sides.

If you and your spouse are unable to communicate very well, you might consider asking the judge for a mediation to help the two of you communicate and come to a better understanding.

Adoption (Colorado Revised Statutes, Section 19-5-200.2-216)

Who may adopt a child?

Anyone 21 years of age or older, including a foster parent, can adopt a child. In Colorado, a child 12 or older must agree to the adoption.

Why would I choose adoption for my child?

Adoption can be a positive choice where you make sure that your children have a permanent, stable home. One mother in prison who has a long sentence chose to put her children up for adoption and was very happy with that decision. She was able to help chose the adoptive parents, they all agreed that she would continue to have contact with her children, and she has stayed very actively involved in her children's lives even though she is not legally the children's parent.

Another mother in prison who is serving a life sentence also chose to put her child up for adoption. She and the adoptive parents decided that she would not have direct contact with her child until her child is an adult. The adoptive parents send her pictures every year and let her know how her child is doing.

As you can see, adoption doesn't have to mean that you lose all contact with your children. However, there is no law in Colorado that allows for an "open adoption," so although you make an agreement with the adoptive parents to continue to see your children, you may not be able to enforce that agreement in court if the adoptive parents don't let you see your children. You can contact the Department of Social Services in the county where your children live to request more information on adoption (see page 68).

What is a stepparent adoption?

If the other parent remarries, his or her new spouse can ask the court for a stepparent adoption. **Before that happens, your parental rights have to end or be terminated.** Your parental rights can be terminated if you have had no contact with the child for the past year or have not paid any child support for the past year. You can also voluntarily give up your parental rights or the judge can decide whether your parental rights should be terminated. See page 44 for information on voluntarily giving up ("relinquishing") your parental rights.

How is the court involved after an adoption?

There is usually no more court involvement.

Can an adoption be changed?

Adoptions are very hard to change. The court will only change an adoption if there is a valid legal reason, and only if the request is made within 90 days of the adoption or within one year of a stepparent adoption. If the child is Indian and the Indian Child Welfare Act is not followed, the adoption may be invalidated.

The adoptive parent can end an adoption only by filing a voluntary relinquishment. The judge may or may not grant the relinquishment.

Do I have any obligations after an adoption?

No. Your child support payments stop. However, you must still pay any child support that was ordered before the adoption.

Can I ever find out who adopted my children?

Yes. You have the right to try to get information if your child is 18 or older. In Colorado, you would file a motion with the court to get the information, and the court will appoint a "Confidential Intermediary." This is a person who will contact the adopted child (or the child's adoptive parent) to ask the adopted child if he or she wants contact with you. You can read Colorado Revised Statutes 19-5-304 and 19-5-305 for more information.

If the child or the adoptive parents don't want you to know, you will not get any information. If they agree, then you will be told. Any information you give to the Confidential Intermediary is confidential. And any information the child or his/her adoptive parent gives the Confidential Intermediary is also confidential.

What if I am pregnant while I am incarcerated?

The Colorado Department of Corrections will not allow a mother to keep her newborn baby with her at the prison. The Department of Corrections will notify the Department of Social Services of your pregnancy and of your due date. Therefore, if you want a relative or friend to take custody of your baby, you will need to make arrangements with that person and inform Social Services before you give birth.

If you have not made arrangements, once the baby is born Social Services will take custody, place the baby in a foster home, and most likely file a Dependency & Neglect case in court (see page 37).

According to DOC Administrative Regulation 700-12, once you have delivered your baby you are permitted one 15 minute phone call to inform the person that will be caring for your child that you have had your baby. **You are not allowed to have any visitors at the hospital unless they have been approved for a special visit. (Administrative Regulation 300-01.)** A special visit will only be allowed with the person who will be taking custody of your baby. Before the hospital will release the baby, the caregiver must bring a car seat and clothing for the baby to wear.

What if I want the father to have custody of the baby once he or she is born?

If you want the baby's father to have custody of the baby, you need to make sure the father's name is on the birth certificate before the hospital will release the baby to him. If the father's name is not on the birth certificate, then he will have to prove that he is the father through a paternity test. This will result in a delay and cause Social Services to take custody of the baby until it is proven that he is the father. If you make sure the father's name is on the birth certificate, your baby will be given to the father without any other action.

Reuniting with Your Children Once you are Released from Prison.

What do I need to do to be able to reunite with my children once I am released from prison?

If there is no court order which gave the caregiver legal custody of your children, you may resume physical and legal custody of your children without having to go to court. If you have drawn up a Power of Attorney, you should cancel or "revoke" the Power of Attorney in writing. If there was a court order giving custody of your children to someone else, you will need to go to court before you can be reunited with your children.

What if a court has given custody of my children to someone else?

Where there has been a legal proceeding involving the custody of your children (divorce, allocation of parental responsibilities, Dependency & Neglect, legal guardianship), you will need to get a court order before you will be able to have physical and/or legal custody of your children once you are released from prison. Once you are released from prison, even if you don't want physical custody of your children, you can also ask the judge to give you more visitation with your children.

Before a judge is likely to order a change in custody or order more visitation with your children, the judge will want proof that you can provide for your children's needs.

Financial Help for the Care of Your Children

The Colorado Department of Human Services is responsible for federal benefits programs such as TANF (Temporary Assistance to Needy Families), Food Stamps, and Medicaid. Your county Department of Human Services office (also called Social Services) manages and determines eligibility for these programs plus childcare and energy (utilities) assistance.

It is important for you to know that you, as the parent, may be required to repay money the state pays for the care of your children. You can be ordered to pay back the state, even while you are in prison.

What is Temporary Aid to Needy Families? Who can get it?

Temporary Assistance to Needy Families, or TANF, is the welfare reform program that replaced Aid to Families with Dependent Children (AFDC) and provides cash on a monthly basis to eligible low-income families with children. In order to be eligible for TANF, **relatives must be related to the children in their "care and control" by blood or marriage (within the 5th degree of relationship)**. Relatives may be asked to prove their relationship by providing birth certificates, and if necessary, marriage certificates.

A relative who is caring for your children can apply at your county Department of Human Services (sometimes called Social Services). They do not need an appointment in order to pick up an application. When they pick up the application, they should ask about setting up an appointment with a worker who will be assigned to assist them with the application process. It is important that your relative applies as soon as possible, because if he/she is eligible for TANF, it will be from the date the application was submitted.

What are Food Stamps?

Food stamps used to be coupons that a person could use instead of cash to buy food at the grocery store. Today, people get their benefits through a card called an EBT (Electronic Benefits Transfer), which works like a bankcard. If the caregiver qualifies, all the people who live together in an eligible household who are U.S. Citizens may get food stamps. If your relative is taking care of your children, they can include them on his or her application. The Department of Human Services determines eligibility by looking at the gross income and assets for all people in the household. It is extremely difficult for non-citizens to receive food stamps. Applications for food stamps are generally available at your relative's county Department of Human Services office. In the Denver metro area, your relative may call the Denver County Department of Human Services office for the closest food stamp office.

What is Medicaid?

Medicaid is a medical services program run by the Department of Human Services. If your relative (or your children in their care) are eligible and receive medical services, the doctor or hospital sends the medical bill directly to Medicaid instead of to your relative.

Medicaid then pays this bill for the care your relative or your children received. Any member of the household who is eligible for Medicaid will receive a Medicaid card with a Medicaid number which must be presented to your relative's doctor, hospital, or pharmacist each time he or she or your children receive services from them.

As a general rule, your relative and/or your children are eligible for Medicaid if they receive TANF and/or SSI.

What is the Colorado Child Health Plan?

The Colorado Child Health Plan, CCHP, is an insurance plan that covers those children 18 years and under, who are **not eligible for Medicaid** and are living with a financially qualified family. Applicants must be permanent U.S. Citizens, who entered the U.S. before 8/22/96 and reside in Colorado. Your relative can pick up applications at your local health department, Social Services office, doctor's office, or school.

What is Supplemental Security Income?

Supplemental Security Income is a program that provides cash assistance on a monthly basis to children and adults who have mental and/or physical disabilities. Your relative will have to go to the local Social Security Administration office to apply. In order to receive SSI, your relative or the child for whom he/she cares must prove they are disabled and financially needy.

What are Foster-Care payments?

In order for a relative to qualify for foster care payments, he or she must be certified as a foster care home through Social Services, and Social Services must have legal custody of your children. Social Services will investigate your relative's home before he or she is certified as a foster parent. If your relative is taking care of your children, once he or she is certified as a foster parent through Social Services, your relative should begin to receive foster-care money as long as Social Services has legal custody of your children. Remember, you may be required to pay back the state for any money given to help support your children even while you are still in prison.

Dependency & Neglect (D&N) Cases

What is a Dependency and Neglect case?

A Dependency and Neglect case is a civil case (not a criminal case). It is filed by a County Attorney on behalf of the County Department of Social Services where there is evidence that your children may not be receiving the care they need or there is a concern for the safety and well-being of your children.

Sometimes a Dependency and Neglect case is filed where there is concern that children may be emotionally, physically, or sexually abused. However, Social Services may also become involved in your family if there are concerns that the children are being neglected and are not receiving adequate care.

Some examples might include situations where children:

- are being left alone without appropriate adult supervision
- aren't being fed, clothed or provided appropriate medical care
- are in a car when a parent is driving under the influence of drugs or alcohol

The focus of a Dependency and Neglect case is to make sure that children's needs are being met and that they live in safe and permanent homes. In most cases, the judge will give each parent an opportunity to work on a treatment plan to help address problems in the family so that the family can be reunited, whenever possible. But, if parents fail to successfully complete that treatment plan, the judge can make other permanent custody arrangements for your children, including adoption by a relative or foster parent.

Dependency and Neglect cases involve a number of court hearings, and it is important that you understand the purpose of each hearing and are actively involved in the case.

Parents should take Dependency & Neglect cases very seriously because the future relationship with their children is at stake.

Although there are some standard procedures that counties must follow in Dependency and Neglect cases, each county can handle cases somewhat differently. Make sure you understand how things are done in the county where the Dependency and Neglect case is filed.

How does a Dependency and Neglect case get started?

A Dependency and Neglect case starts when Social Services receives a call that there may be a concern for the safety and well being of your children. Anybody can call Social Services if they have a concern about your children. Social Services will then assign a social worker (also called caseworker) to investigate whether your children are receiving appropriate care.

Once an investigation is done, there are several possible outcomes:

1) Social Services will decide that your children are fine and that Social Services does not need to be involved whereby the case will be closed with no further action

2) Social Services will decide that your children may not be receiving the care they need or that their health and safety are threatened and that Social Services needs to be involved. At that point, Social Services can do one of two things regarding your children:

   (a) Social Services may go to court and ask a judge for an order to take temporary custody of your children and remove them from the home where they are living and place them in a foster home

or with a relative. If Social Services or the police believe that your children's safety is in immediate jeopardy, the police have the power to remove your children from their home without a court order.

(b) Social Services may decide to allow your children to remain in their home but that your children are in need of help from Social Services. Even if your children are not removed from their home, the County Attorney can still file a Dependency & Neglect case in court.

What is a Dependency & Neglect Petition?

If Social Services believe that a Dependency & Neglect case should be filed in court, Social Services will give the County Attorney a report of their investigation. The County Attorney will review the report and decide if the County Attorney's Office is going to file a Dependency and Neglect case on behalf of your children.

If the County Attorney decides to file a case in court, you (and the children's other parent) will be served with a Dependency & Neglect Petition that will state the facts upon which the County Attorney believes that your children are in need of court involvement. On the Petition you and the children's other parent will be named as "Respondents." The County Attorney can also decide not to file a Dependency & Neglect case in court and offer your family voluntary services instead.

What happens first?

If the children are removed from their home, a hearing has to be held within 72 hours so the judge can review the case and decide whether the children should be returned to their home or stay in the temporary custody of Social Services. This hearing is called a **Shelter/ temporary Custody Hearing.** As the parent of the children, you have the right to be notified that your children have been removed from their home. However, because this hearing must happen within 72 hours of when the children are removed from the home, you may not be notified about this hearing in time to attend. It is legal for the judge to hold a Shelter/ Temporary Custody hearing without you being present. Even if you weren't notified of the Shelter/Temporary Custody hearing in time to attend, you should become actively involved in the case as soon as you learn that a Dependency and Neglect case has been filed.

Do I have the right to be represented by an attorney in a Dependency & Neglect case?

Yes. If you are unable to afford to hire a lawyer, you can request that the judge appoint a lawyer to represent you. You and the children's other parent will be appointed different attorneys.

What is "best interests of the child"?

The focus of a Dependency & Neglect case is to meet your children's needs. Therefore, the law requires that the judge make decisions based upon what is in the "best interests of the child." The judge will listen to the parents, the children and the other professionals involved in the case before making decisions in "the best interest of the child."

Why is it important to be actively involved in the D&N case?

Because the clock is ticking! Colorado law requires that all children under 6 years old be placed in permanent homes within 12 months from the date that they were removed from their home (called Expedited Permanency Planning or EPP). For children 6 and over, they must be in a permanent home within 15 months from the date that they were removed from their home. If you have several children and any of

them are under 6 years old, then EPP timelines will apply to all of your children.

You must actively participate to let the judge know where you want your children to live while you are incarcerated. If you do not participate, the judge will make these decisions without your input. **If there is a relative that you want your children to live with, tell the social worker as soon as the case is filed.** If you wait too long to inform Social Services about possible relatives, it may be too late for Social Services to place your children with them rather than in a foster home.

Who are the people involved in a Dependency & Neglect case?

The following chart (page 40) describes the major participants in a D&N case and their roles. Each case is different and may also involve therapists, custody evaluators, school counselors, relatives, or foster parents. **It is important to remember that only conversations that you have with your lawyer are confidential.**

Who should I contact if I am having difficulties communicating with any of the parties in the case?

If you are having difficulties communicating with any of the people involved in the case, even your own lawyer, you can contact the Court Facilitator and ask for help. court facilitators are employees of the court whose job it is to help all of the parties communicate with each other about what is happening in the case. Not all courts have Court Facilitators. (See page 65 for directory of court facilitators.) If you don't see one listed in your court, write to the judge, and ask for help.

At any time while your D&N case is open, any of the parties, including you, can ask the Court Facilitator to schedule a Conference to discuss any issues in the case.

All of the parties will be court-ordered to attend the Conference. The Court Facilitator runs the meeting, and everyone is given an opportunity to talk. The judge does not attend. You should ask your attorney to make sure that a writ is issued so that you can attend all conferences either in person or by telephone. The Court Facilitator can answer many of your questions but cannot give you any legal advice. The purpose of a conference is to talk and agree on how to work on problems in your case.

What is mediation?

Mediation is a more formal meeting with the parties than with a Court Facilitator. The judge can order that you participate in mediation at any time while your D&N case is open. The judge does not attend. The meeting is led by a person called the "mediator." The mediator is neutral, meaning that she or he does not work for the court, you, or Social Services. The reason for mediation is to talk and come up with a written agreement on how problems in your case can be resolved.

What should I tell the Judge, the social worker, the guardian ad litem, and my attorney?

It is very important that you be in communication with the parties involved in the case so that you will know what is going on and that the other parties know what your opinion is. You should make sure that you tell the judge, the social worker, the guardian ad litem, and your attorney the following:

- Who you want your children to live with while you are in prison, any special needs that your children may have, your mandatory release date (or parole eligibility date) and whether you want to care for your children when you are released

- The name and address of the prison where you are so the parties know how to get in touch with you
- Your case manager's name and telephone number so the parties know how to arrange for telephone conferences with you
- What prison programs are available at the prison, and any programs you are attending or have completed
- How often you have contact with your children (telephone, letters, visits)
- Any actions you have taken to show that you are trying to stay involved in your children's lives while incarcerated

IMPORTANT: Keep a copy of any letters or notes from any telephone conversations you have with anyone related to the case. Keep a specific log of all of the contact you have had with your children and anyone else. See example of a log on page 81.

How do I attend Court hearings?

A Dependency & Neglect case involves a number of hearings. There are two ways that you can participate in a hearing. A writ can be issued by the judge to have you transported to the hearing so you can attend in person. The other way for you to participate is by telephone from prison. The court should take care of issuing the writ, but you can contact your attorney or the judge's clerk to make sure that the writ has been issued. See the list of judicial district court telephone numbers on page 64.

If you want to appear by telephone, the best thing to do is to write to your attorney and ask him or her to make the arrangements. Make sure to give your attorney your case manager's name and telephone number so the judge knows what telephone number you can be reached at to appear by telephone.

What is a "Family Services Plan?"

A Family Services Plan is also called a Treatment Plan. The Family Services Plan is a report that the social worker prepares that includes the reason a Dependency & Neglect case was filed and recommendations on what needs to happen in order for the family to be reunited. The Family Services Plan is set up to address the needs in your family, and can include things like parenting classes, substance abuse treatment, anger management or educational classes. Once you are released from prison, you will also be required to have a job and a stable home before your children would be able to live with you.

Your attorney will be given a copy of the social worker's report.

Make sure that you go over this report carefully with your attorney because you have the right to object to any mistakes in the report or to any treatment recommendations.

A hearing will be held before the judge orders a treatment plan for you, and your attorney must object to any part of the report that you do not agree with, or it could become an order of the court. Make sure you tell your case manager what prison programs you are ordered to complete as part of your treatment plan.

It is important to tell the judge if there is something in the treatment plan you are supposed to do that you cannot do while you are incarcerated. For example, if the court has ordered you to complete a parenting class and your prison does not have parenting classes, tell the judge so he knows you are not just ignoring his order. Also, let the judge know if there is a waiting list for a program that you have been ordered to complete.

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Judge

Either a judge or Magistrate will decide where your children will live and what visitation you may have. The judge will also order a treatment plan for the parents and evaluate whether they have successfully completed it.

GAL

The Guardian ad Litem (GAL) is an attorney who is appointed by the court to represent the best interests of the children. The GAL may make recommendations to the judge that are different from what you or your children want. The GAL may also talk with others who are involved in the case. The GAL has to meet with your children.

Social Worker

The social worker or case worker works for the local Department of Human Services or Social Services and investigates your case. The social worker makes recommendations to the judge about what needs to happen to protect your children. The social worker sets up the treatment plan and monitors your progress.

You (Respondent)

Your Attorney

You have a right to an attorney. Since you are incarcerated, ask the judge to appoint one to represent you. This attorney is called the "Respondent Parent's Attorney." It is very important that you communicate with him or her.

County Attorney

The county attorney is the prosecuting attorney who represents the state and the social worker. The county attorney is responsible for proving the child abuse or neglect allegations contained in the Petition. The county attorney and the social worker work together. In Denver he or she is called the "city attorney."

Court Facilitator

The Court Facilitator works for the court. His or her job is to help all the parties communicate with one another. The Court Facilitator can answer questions about what is happening in your case but cannot give any legal advice.

CASA

Court-appointed Special Advocates (CASA) are trained volunteers who may be assigned to your case by the judge. The CASA's role is to have frequent contact with your children. The CASA gathers information about your children's needs and is available to help your children. The CASA makes recommendations to the judge about what he or she believes is

Person	Judge	Court facilitator	GAL	CASA	County Attorney	Social Worker	Your Attorney
Who Do They Work For?	The Court	The Court	Your Children's Best Interest	Your Children's Best Interest	County Attorney and Dept. of Human Services	Dept. of Human Services	You
Is What I Say Confidenctial?	No	No	No	No	No	No	Yes

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IMPORTANT: If you cannot follow your treatment plan because the prison does not offer a program that you have been ordered to complete, you MUST tell your attorney as soon as possible so that he or she can request a hearing and ask the judge to change your treatment plan.

Will I be able to have contact with my children during a D&N case?

Because you are incarcerated, the judge will most likely not grant visitation and telephone calls with your children UNLESS you take an active role and request such contact with your children. The judge will not know that you want to maintain a relationship with your children from prison unless you tell him or her. Be sure to let the social worker know if there are special visiting rooms for children in your prison. The judge will decide how often and what kind of contact you will have with your children.

When will the judge make the **Permanent** *decision about who will have custody of my children and where they will live?*

At the Permanency Hearing the judge decides on a "permanent plan" for your children.

If any of your children are under 6 years old, as an EPP case, the judge must order a permanent plan for your children **NO LATER THAN 3 MONTHS from the date of the Disposition Hearing.** *If all of your children are older than 6 years old, the judge must order a permanent plan for your children* **NO LATER THAN 12 MONTHS after your children were removed from their home.**

It is very important that you attend this hearing, if possible.

- A permanency plan for your child might include any of the following:
- That your child be returned home
- That your child live in a foster home or with a relative
- That someone else gets legal guardianship of your child
- That your child can live on his or her own (called "emancipation")
- That a motion for termination of parental rights be filed so that your children can be placed for adoption

What is termination of parental rights?

When your rights as a parent are terminated, that means you are no longer your child's legal parent, and the child becomes available for adoption. You no longer have the right to see your child. Termination of parental rights doesn't just affect your rights but also ends the legal relationship between your children and their siblings, and any of their relatives, including grandparents, siblings.

If the judge or county attorney believes that you have not done your best to complete the treatment plan, a motion to terminate your parent-child relationship may be filed. Also, if your child is in foster care for fifteen of the last twenty-two months, the County Attorney must file a Motion to Terminate Parental Rights unless there is a compelling reason not to do so. The filing of a Motion to Terminate Parental Rights does not mean your parental rights will be terminated. You are entitled to a trial before your parental rights are terminated.

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Summary of Dependency & Neglect Court Hearings

HEARING	WHEN IS IT HELD?	WHAT COULD HAPPEN?	WHAT CAN YOU DO?	REASON FOR HEARING
SHELTER/ TEMPORARY CUSTODY HEARING (To decide where your children will live temporarily)	Within 72 hours after your child is removed from the home (excluding Saturday, Sunday, and holidays).	The judge will order whether your child will remain out of his or her home or may be returned home. The judge may order that your child be tested or have counseling.	See if you have a relative who is willing to take care of the child and who can attend the hearing. You should ask to attend this hearing by phone or in person if you are notified in time.	The Judge will decide where your child should live for a short time. The Judge will also schedule an Advisement Hearing or advise you of your rights and of the allegations in the Petition at this hearing.
ADVISEMENT HEARING (To advise you of your rights in this case)	Held as late as 30 days after the D&N Petition is filed in the court. If you are unable to attend the Shelter or the Advisement Hearing, then you will probably be advised at the first hearing you attend.	The judge will advise you about your rights and may enter orders about things he or she wants you to do immediately.	You should ask to attend this hearing by phone or in person if you hear about it in time. Ask another relative to attend if you cannot come.	To make sure you know what your legal rights are and to set the next hearing, the Adjudication, usually within 45 to 60 days.
ADJUDICATORY HEARING (To decide whether to admit or deny the Petition)	Within 60 days after you get the Petition if any of your children are under 6 years old (EPP); within 90 days if all of your children are 6 or over. In some counties, the court can proceed to the disposition hearing on the same day as the adjudicatory hearing and enter a treatment plan.	The judge could dismiss the petition if he or she decides Social Services should not be involved with your family. If the Petition is not dismissed and you admit the allegations in the Petition, the judge schedules the Disposition Hearing. If you deny the allegations in the Petition, the judge schedules an Adjudicatory Trial before a jury.	Let your attorney know whether the allegations in the Petition are true or not and whether you want to admit them or deny them. Do not admit allegations that are not true. You will be writted in for this hearing.*	If you admit the allegations in the Petition, the judge will make a finding that your children are dependent and neglected. If you deny the allegations in the Petition, an Adjudicatory Trial will be scheduled.
DISPOSITION HEARING (To order treatment plan)	Within 45 days after adjudication if any of your children are under 6 years old (EPP); within 60 days if all of your children are 6 or over.	The judge will order a treatment plan for the parents to follow.	Let your attorney know if there are any mistakes in the Family Services Plan or social services report. Make sure you ask the judge for visitation and telephone calls with your children.*	A Family Services Treatment Plan will be ordered by the judge.
PERMANENCY HEARING (To order a permanent home for your children)	No later than 3 months from disposition if any of your children are under 6 years old; if all of your children are 6 or over, no later than 12 months from when they were removed from their home.	The court could order that your child's permanent home be with relatives, a foster family, your child's other parent, or with you when you are released. The county attorney could request that a Termination Trial be held to decide if your rights as a parent should be terminated.	Let your attorney know when you will be eligible for parole and what permanent home you want for your child.	The judge will decide who will have permanent custody of your child and where your child should live permanently.
APPEARANCE REVIEW HEARING (To update the judge on how your children are doing and your progress on the treatment plan)	If your child is removed from your home, there will probably be a review hearing every 3-6 months. All the lawyers, social services, and the CASA will have to go to court. Tell your attorney to make sure that you are writted in for the hearing.	The judge could say that you or your child should get more help. The judge could also make changes in the treatment plan. The judge could also move your child to another home.	Tell the judge how you have been doing on your treatment plan. Bring copies of any certificates of completion or evidence that you are currently in a program. Also bring copies of your log listing your contact with your children and all of the parties in the case. Tell your attorney about any changes in your parole date.*	So that the judge can make sure that your child is safe and that you are working on your treatment plan.

*It is very important that you be involved in these hearings. You can either attend in person or by phone. Make sure you are aware of what will happen to you if you attend the hearing in person. Sometimes you may have to be out of the prison for several weeks, which may affect your job, housing, or other programs you are currently involved in. Make sure you ask your case manager about what will happen if you miss these programs in order to attend a hearing.

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What happens at a termination trial/ hearing?

You do have the right to have a trial before a judge before your parental rights can be terminated. You do not have the right to a jury trial. At the Termination Trial (also called a Termination Hearing), the county attorney will present evidence he or she feels shows that it is in your child's best interest to have your parental rights terminated. Your attorney can call witnesses and present evidence on your behalf as to why your parental rights should not be terminated. If your parental rights are terminated, you have the right to appeal. Generally, a judge will not terminate the parental rights of one parent and not the other.

IMPORTANT: *If your parental rights have been terminated, or if you decide to give up your rights to your child (relinquish), you have no legal right to see your child anymore. The only way you can see your child is if your child's new parents agree to any visits.*

Does my incarceration mean my parental rights will be terminated?

No. Your parental rights are not automatically terminated just because you are in prison. As a general rule, an incarcerated parent, like any other parent, is given an opportunity to complete a treatment plan so that he or she can be reunited with their children. However, an incarcerated parent's parole eligibility date matters.

According to the Colorado Children's Code, 19-3-604(1)(b), a judge can "by-pass reunification" and terminate parental rights without giving the parent an opportunity to complete a treatment plan if the judge finds that "no appropriate treatment plan" can be developed.

Under the law, one of the reasons the judge can find that "no appropriate treatment plan" can be developed is if an incarcerated parent will not be parole eligible for 6 years from the date the child is found to be dependent and neglected (called "adjudication") OR within 36 months for cases involving children under the age of 6. Therefore, it is important to let the judge, the social worker, the guardian ad litem, and your attorney know when you are parole eligible.

If you come up for a parole hearing, it is also important to let your attorney in the Dependency & Neglect case know so that you can prepare for the parole hearing.

The judge may also think that, since you are in prison, you might have abandoned your children because you had to give up physical custody of your children for a period of 6 months or more. However, before this will happen, the judge would also have to find that you do not intend to take back physical custody once you are out of prison.

There are a lot of things that go into a judge's decision to terminate the parent-child relationship. Therefore, be sure you talk with an attorney to find out everything that you need to know about this.

Long-term incarceration may be grounds for termination of your parental rights.

What is relinquishment?

Relinquishment means that you **voluntarily give up your parental rights.** Before the judge will let you relinquish your parental rights, you will be ordered to get counseling to make sure that you understand what you are doing. There are important legal differences between relinquishment and termination of parental rights that may affect you in the future.

Be sure you talk to your attorney about this before you make a decision. It is important to

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Important Tips for D&N Cases

A Dependency & Neglect case is a very serious legal matter which could result in permanently changing your legal relationship with your children. It is very important that you get actively involved in the case as soon as possible and stay involved. One of the most important factors that will influence the Judge's decisions regarding your parental rights will be evidence of your relationship with your children and your commitment to their well-being.

- **Stay in touch with your children.** Your efforts to communicate and visit with your children are very important evidence of your commitment to being a parent, even while you are in prison. Also, your children may be confused and scared, especially if they have been removed from their home and are living with someone else. It is important for you to try and support and comfort them to the best of your ability.
- **Communicate with your attorney.** You have the right to have an attorney represent you in a Dependency & Neglect case. If you cannot afford to hire an attorney, write to the court for an application for a court-appointed attorney. Make sure you know the name, address, and telephone number for your attorney because it is very important that you are in contact with him or her about your case.
- **Be actively involved.** If you want to have input on decisions that are made regarding your children and your relationship, it is very important that you be actively involved in the case. Make sure you tell your attorney, Social Worker, and the Guardian ad Litem what you want for your children. If there is a relative who is willing to care for your children, let the Social Worker know right away.
- **Be prepared for hearings.** Make sure you understand the purpose of each hearing in advance so that you can be prepared. Depending on the type of hearing, you may want to bring certificates that show you have completed a program (substance abuse, anger management, GED, etc.) Try to participate in all hearings either in person or by telephone. Otherwise, decisions affecting you and your children can be made without your input. It is also good to have a relative or friend attend the hearing with you.
- **Make every effort to do what is expected of you in the Family Services Plan.** Your effort to comply with the Family Service Plan will influence the outcome of your case. It is very important that the Judge, Social Worker and Guardian ad Litem are aware of what programs are available (and any waiting lists) at the prison you are in. If you have been ordered to complete a program that is not offered in the prison you are at, let your attorney, the Social Worker, Guardian ad Litem, and Judge know as soon as possible. Make sure your attorney, the Judge, the Social Worker, and the Guardian ad Litem have copies of any certificates showing that you completed programs at the prison.
- **Know what the deadline is for when the Judge has to order a permanency hearing.** It is important for you to remember that the "clock is ticking" in a Dependency & Neglect case. Because of federal and state laws, the Judge must order a permanent plan for your children under strict timelines. (This is discussed more on page 42)
- **Try to work with the Social Worker and Guardian ad Litem.** It is OK to disagree with the Social Worker or the Guardian ad Litem. However, it probably won't help your case to get into fights or to get angry with them. If you disagree with something that the Social Worker or Guardian ad Litem say or recommend, make sure your attorney knows your opinion so that he or she can let the Judge know.
- **Make sure people know how to get in touch with you.** It is very important that your attorney, the Social Worker, and the Guardian ad Litem know your current address at all times and the name, address and phone number of your case manager. If you are transferred to a different prison or are released from prison, send them your new address.
- **Be persistent.** A Dependency & Neglect case can be complicated, and your incarceration may make it difficult to communicate with people involved in the case. If you do not receive a response to a letter you have written to your attorney, Social Worker, or Guardian ad Litem, try again. If you are still having problems getting a response, call or write the Court Facilitator in your court (see page 65). They may be able to help you. Not all courts have court facilitators. If you don't see them listed in your area, write to the Judge to ask for help.
- ·**Keep good records.** Make sure you keep a copy of any letters you send to your attorney, the Guardian ad Litem, the Judge, Social Worker, your children, their caregiver, or anyone else you send a letter to regarding your children. Make sure you keep a written log of all contact you have with your children (visits, phone calls, letters).
- **Get support if you need it.** The focus of a Dependency & Neglect case is on what your children need. That should be your focus, too. However, being involved in a Dependency & Neglect case can be very stressful, and it is also important that you get whatever support you may need so that you can stay actively involved. Talking to family, friends, a counselor, or a spiritual counselor may help.

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know that if the judge terminates your parental rights to one of your children, that court order can be used against you in a termination case of another child. However, if you relinquish your parental rights to your child, that information cannot be used against you in a future case to terminate your parental rights of another child.

If you want to relinquish your parental rights, it is very important that you let your attorney and Social Worker know as soon as possible. Tell them if you have a relative who can take care of your children.

If you decide to voluntarily give up your parental rights, your role in the Dependency & Neglect case should be to help decide who will raise your children and emotionally support your children during this time.

What legal rights do I have to reunite with my children if they are in foster care?

If your children are in foster care with someone who is not a relative, you may have difficulties in reuniting with your children after you are released from prison. However, there are steps that you can take that can make it more likely that your children will be returned to you once you are released from prison.

- Before you are released from prison, you should write to the social worker, the guardian ad litem, the judge, and your attorney and advise them of your release date and of your desire to reunite with your children. In your letter, you should request that a Review Hearing be set up approximately one month after your release date.
- Once you are released from prison, you can also contact the social worker, the guardian ad litem, the judge, and your attorney to schedule visits with your children as soon as possible.
- Prior to the Review Hearing, you should arrange to have a place to live and a job so that you can show that you are able to care for your children. If you are on parole, you may have a number of other requirements to meet. Doing well on parole will help your chances of having contact with your children.
- Prepare for the Review Hearing. Before the judge will order that your children be returned to you, you will need to prove that you can be a good and stable parent and that you can provide a good home for your children. Meet with your lawyer before the Review Hearing. Bring evidence that you have a job and a place to live as well as any other documentation you think will help prove that you can be a good parent. Examples might include certificates showing that you completed programs while in prison, or letters of recommendation.

Paternity

What does "Paternity" mean?

"Paternity" is a word means you are a child's father. ("Maternity" means you are a child's mother.)

If you are married to the child's mother when the child is born, under Colorado law you are assumed to be the child's father. If you were not married to the child's mother at the time the child was born and you were not listed as the child's father on the birth certificate, paternity will have to be established by the court.

Who can file a Paternity case?

The mother, a person who wants to prove or disprove that he is the father, the legal guardian, the child, or the state may ask a judge to establish paternity of a child by filing a "Petition for Determination of Paternity."

What happens in a Paternity case?

The judge will decide whether a man is the child's father or not. If you are the father, the judge will enter orders regarding custody, parenting time, decision-making, and child support just like in a divorce case.

Why would I file a Paternity case?

A man might want to bring a paternity case to prove or disprove that he is the child's father. If you think you are the father, you may want to legally establish your relationship and parental rights with your child. If you don't think you are the father, you may want to make sure that you won't be required to pay child support for the child. To prove whether you are or are not the father, you have the right to request a medical DNA test (usually a blood or mucus test). You can make arrangements for a DNA test through the court. If it is proven that you are the father, you will probably have to pay for this test which costs about $150.

A mother may also want to bring a paternity case to prove or disprove that someone is the child's father. The mother or the legal guardian might file a petition so that she can get child support from the father. If a mother is receiving public assistance money, the state might file a petition to get the father to pay the state back. You may be required to pay the state back for any financial aid your children receive even while you are in prison.

Determining paternity is important to your child. Fathers play an important role in their children's lives in helping them form a sense of identity, security, and a sense of belonging.

If you get notice that a paternity case has been filed, **it is important that you file a written response within 20 days** *of the date you receive the Petition for Determination of Paternity. If you don't respond, under Colorado law you are legally considered to be the child's father, and it may be too late to challenge that decision later.*

When can a Paternity case be filed?

To prove a man is the father, the mother or father can file a paternity action at any time before a child is 18 years old. A child or a county Child Support Enforcement Unit can file a paternity action at any time before a child turns 21 years old. **If you don't think you are the father of the child, you must file a paternity action to disprove that you are the father before the child turns 5 years old.**

Child Support

Who is expected to pay child support?

All parents (mothers and fathers) are expected to provide some financial support for their children. Parents who do not have the children living with them are usually ordered by the judge to pay child support to the person with whom the children are living. The child support payments are used to take care of the children's needs.

How much child support does the judge order?

Colorado has guidelines for determining how much money a parent should pay each month. These guidelines are based on the combined income of both parents and where the children live. The judge orders child support based on these guidelines.

Do I have to pay child support while I am in prison?

Yes. There are several situations where you are expected to pay child support while you are in prison:

- If you were ordered to pay child support before you went to prison, you are still required to pay the same amount of child support even while you are in prison
- If the person taking care of your children (the other parent, legal guardian or relative) goes to court and asks the judge to order you to pay child support even while you are in prison
- If the state provides public assistance money to your children, you may be required to pay the state back even while you are in prison

If I was ordered to pay child support before I went to prison, is the amount automatically lowered after I am sent to prison?

No. It is up to you to request that your child support payment be lowered.

Is it possible to have my child support payments lowered while I am in prison?

Yes, it is possible but not guaranteed. If you cannot afford the monthly child support payments, you can request a change in the child support order (called a Review and Adjustment). Any change will only affect your future child support payments. It will not affect back child support that you owe. It may take several months to have your child support lowered depending on how complicated your case is.

Child support can be ordered in two different ways. In some cases a county agency called the Child Support Enforcement Unit orders child support. In other cases, the child support is ordered in court. To make sure you are asking the right office, you will need to find out whether your child support was ordered by a Child Support Enforcement Unit or by a court.

If you do not know whether a Child Support Enforcement Unit or a court entered your child support order, or if you are not sure which County Child Support Enforcement Unit is handling your case, write to the Colorado Division of Child Support Enforcement, 303 E. 17th Avenue, Suite 200, Denver, CO 80203, and they can tell you. Make sure to include your name and address, the other parent's name and address, and the names and dates of birth of your children.

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How do I request that my child support order be lowered?

1. Request through Child Support Enforcement Unit

- **Send a letter** to the Child Support Enforcement Unit that entered your child support order (see addresses on page 71) requesting a review of your case and asking that the amount of child support be lowered. Explain why you need to lower your child support payment, and make sure to give them your DOC# and address so that they know how to contact you.
- Fill out the Income & Expense Affidavit that the County Child Support Enforcement Unit sends to you. Make sure you fill it out within the deadline that they give you. Your case manager may be able to help you complete this form. The County Child Support Enforcement Unit will also request that the person who has custody of your children fill out an income and expense affidavit. After reviewing all financial information, the Child Support Enforcement Unit will decide whether your child support should be lowered. You will receive a notice of the results and how many days you have to appeal it.
- If the Child Support Enforcement Unit denies your request, you can go to court to ask a judge to change the Child Support Enforcement Unit's final decision.

2. Request Through Court

There are two reasons that you would go to court to request that your child support be lowered:

- If your original child support order was entered in court
- If the Child Support Enforcement Unit denies your request and you want the court to review your situation and change the Child Support Enforcement Unit's final decision

What do I File? A "Motion to Modify Child Support" is a legal request for a change in the amount of child support you have to pay. (See sample motion on page 56).

Where? Send the original to the district court for the county that handles the child support order. (See addresses for district courts on page 63).

Include: A Child Support Income and Expense Affidavit form. Your case manager may be able to help you complete this form.

Send copies to: The person who is taking care of your child and the Child Support Enforcement Unit in the county.

Hearing: The judge can rule on your motion without a hearing, or the judge may hold a hearing where you could testify in person or by telephone.

Court Order: The judge can order the same amount of child support you currently pay, lower the amount, or order a minimum monthly amount.

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If your order was entered in court, you should request that the court change your child support order amount (see the box below # 2). You don't have to go through a Child Support Enforcement Unit.

What happens if my child's other parent (or legal guardian) doesn't agree that the amount of child support I owe should be lowered?

Even though your child's other parent may ask that the amount of child support you owe stay the same, the Child Support Enforcement Unit and the judge use the Colorado Child Support Guidelines to calculate how much child support you should pay. The order may not match the amount of the child's other parent or legal guardian.

Am I still responsible for past due child support even though I'm in prison?

Yes. If you were behind in your child support payments before you went to prison, you are still required to make these payments, even though you are in prison. If you were behind in child support payments, it is very important that you contact the Child Support Enforcement Unit to reach an agreement on a repayment plan that you can afford.

It is important to contact the Child Support Enforcement Unit to work out a payment plan for past due child support before you are released from prison. If you don't, the state can suspend your driver's license, suspend any other state license (for example, electrical or barber license) and take up to 65 percent of your after-tax income from your paycheck. You could also be found in contempt of court and ordered to serve time in jail.

Should I keep a record of all child support I pay?

When you are in prison and when you are released, it is very important for you to keep a written record and receipts of all child support payments you make and copies of any letters you write or receive from the Child Support Enforcement Unit or the court. It is best to make your child support payments by check or money order (write "child support" under the memo section on the check or money order) so that you have a receipt of all child support you've paid.

Can money be taken from my prison account to pay for child support and/or restitution?

Yes. According to Colorado Revised Statutes, 16-18.5-106, the Department of Corrections is required to take a minimum of 20 percent of all money deposited into your prison account to pay child support and/or restitution. Another law (CRS 26-13-122.5) allows the Colorado Child Support Enforcement agency to file a Notice of Administrative Lien with the Department of Corrections to take money from your prison account to pay for child support. These two laws went into effect September 1, 2000 and apply to everyone in prison in Colorado in both state and private prisons.

If you only owe restitution, and not child support, then 20 percent of all money deposited into your prison bank account each month will be taken to pay your restitution. If you owe child support and no restitution, 20 percent will be applied to child support. If you owe both restitution and child support, then 10 percent of your money will be taken to pay for restitution and 10 percent will be taken to pay child support.

The prison law library should have copies of these two laws. Also, your inmate bank account statements will show how much money was taken to pay for child support and/or restitution.

Under this law, can money I receive from my family and friends be taken to pay child support and/or restitution?

Yes. The way the law is written, 20 percent of **ANY** money deposited into your prison account during the month can be taken to pay child support and restitution. This includes not only unassigned inmate pay and money you get paid at your prison job but also money you may receive from family or friends for such things as stamps, telephone calls, or the canteen.

Do these laws apply to everyone in prison?

No. If you do not owe child support or restitution, then money will not be taken from your prison bank account. Also, if the only money you receive is unassigned inmate pay and you do not have more than $10.00 in your prison bank account, then money won't be taken from your account even if you owe child support and/or restitution.

Attachments

Sample letters and forms

In this section, the following sample letters and forms are provided:

Attachment A: Sample letter to judge asking to attend a hearing 54
Attachment B: Sample letter asking for visits 55
Attachment C: Letter of Introduction / Identification of Relatives 56
Attachment D: Motion to Modify Child Support 57
Attachment E: Power of Attorney 60
Attachment F: Motion to File Without Payment & Financial Affidavit 61
Attachment G: Finding and Order Concerning Payment of Fees 62

(You do not fill out the Order out (Attachment G)—just send it with the Motion to File Without Payment & Financial Affidavit (Attachment F)) and the Judge fills it out.

These letters and forms are examples of some letters or forms you might use regarding family law issues. The sample letters are provided to give you some ideas about how to communicate with the parties in your case about what is important to you. Change these examples to fit your own situation.

Make sure to keep copies of all letters, forms, or motions you write. If it is impossible to have a photocopy made, keep a handwritten copy or at least make a note in your log book. Make sure to keep copies of all letters or motions you receive.

Attachment A: Sample letter to judge asking to attend a hearing

(Your name)

(Your address)

(Date)

Re: Request to attend a hearing: Case Name and Case Number

Honorable (Name of judge)

(Address of the court)

Dear Judge (Last name):

I am currently incarcerated at _____ (name of prison) at _____(address). I am involved in a case assigned to your courtroom _____(case number). There is a hearing scheduled for _____(date). I would like to attend:

☐ (in person)

☐ (by phone)

My case manager's name is _____, and his/her telephone number is _____.

Thank you for your assistance. I would very much like to be present for the hearing.

Sincerely yours,

(Your signature)

(Your name, typed or printed)

cc: Your attorney, County Attorney, Guardian ad Litem, Caseworker, other parent's attorney

Attachment B: Sample letter asking for visits

(Your name)

(Your address)

(Date)

Re: Request for Visitation: Case Name and Case Number

Honorable (Name of judge)

(Address of the court)

Dear Judge (Last name):

I am currently in prison at _____(facility name), _____ (address). My case manager's name is _____, and his/her telephone number is _____. I am the mother/father of _____(names of children and dates of birth). The case number is _____(case number).

I would like to have regular visits while I am in prison and regular telephone contact with my children _____.

(Describe how visiting works at your institution, including rules, how to get on the visiting list, and any special visiting arrangements for children at the institution.)

I am eligible for _____ number of visits a month.

I can make _____ calls per week.

☐ I am able to pay for telephone calls to my children.

☐ I will need to call my children collect.

Sincerely yours,

(Your signature)

(Your name, typed or printed)

cc: Your attorney, County Attorney, Guardian ad Litem, Caseworker, other parent's attorney

Attachment C: Letter of Introduction / Identification of Relatives

(Your name)

(Your address)

(Date)

Re: (Case Name and Case Number)

Ms./Mr. (Caseworker's name),

(Address of Caseworker)

Dear Ms./Mr. (name)

- ☐ Judge _____
- ☐ Caseworker _____
- ☐ County Attorney _____
- ☐ Attorney _____
- ☐ Guardian ad Litem _____

I am involved in a Dependency & Neglect case regarding my children. The case number is (_____) My children's names and dates of birth are:
_____

If possible, I would like _____(name of relative) who is my _____(aunt, mother, etc.) to have temporary custody of my child(ren) until my release. (Explain why this is in your children's best interest.) (You can also ask that your relative be given permanent custody if you are serving a long sentence.)

I want to make sure you know how to contact me, because I want to be actively involved in this case. I am currently incarcerated at _____(facility/address). My case manager's name is _____(name), telephone number). My DOC registration number is _____.

My parole eligibility date is _____. If I am not granted discretionary parole, my mandatory release date is _____.

My children are very important to me. The following is a list of relatives where my children could live. Name_____, Address_____, Phone_____, Relationship to child_____.
Name_____, Address_____, Phone_____, Relationship to child_____.

The following is a list of relatives who cannot be placement options but who are interested in being resources for my children:

Name_____, Address_____, Phone_____, Relationship to child_____. Name_____, Address_____, Phone_____, Relationship to child_____.

Sincerely yours,

(Your signature)
(Your name, typed or printed)

Attachment D: Motion to Modify Child Support

❑ District Court _____ County, Colorado Court Address: _____ **In Re:** **Petitioner:** **Respondent/Co-Petitioner:**	▲ **COURT USE ONLY** ▲
Attorney or Party Without Attorney (Name and Address): Phone Number: E-mail: FAX Number: Atty. Reg.#:	Case Number: Division Courtroom
MOTION TO MODIFY CHILD SUPPORT UNDER §14-10-122, C.R.S.	

Petitioner:

Date of Birth: _____ Social Security No.: _____

Mailing Address: _____

Residential Address: _____

Respondent/Co-Petitioner:

Date of Birth: _____ Social Security No.: _____

Mailing Address: _____

Residential Address: _____

The ❑ Petitioner ❑ Respondent/Co-Petitioner requests that this Court enter an order modifying the ❑ Petitioner's ❑ Respondent's/Co-Petitioner's child support obligation for the reasons set forth below.

1. The last order establishing child support was entered by the Court on (date)_____
2. The parties have minor child(ren):

Name	Sex	Date of Birth	Soc. Sec. No.

3. The following child(ren) live(s) most of the time with the Petitioner:

The following child(ren) live(s) most of the time with the Respondent/Co-Petitioner:

Attachment D: Motion to Modify Child Support - Page 2

4. Under the current child custody orders, the ❑ Petitioner has _____parenting time with the child(ren) and the ❑ Respondent/Co-Petitioner has _____parenting time with the child(ren) under the following schedule:

5. Under the current orders, the Petitioner has_____ overnights per year with the child(ren). Under the current orders, the Respondent/Co-Petitioner has _____ overnights per year with the child(ren).

6. Under the current child support order, ❑ Petitioner's ❑ Respondent's/Co-Petitioner's child support obligation is $ _____ per month.

7. A change in the child support order is appropriate because of the following change(s) in circumstance(s).

8. The new child support that I am requesting ❑ is ❑ is not more than a 10% change from the current child support order. I have completed a child support worksheet that shows what I believe the new child support obligation should be. That child support worksheet ❑ is ❑ is not attached to this motion.

9. I have attached my current financial affidavit and latest pay stub to this motion.

10. Is either party currently receiving public assistance? ❑ Yes ❑ No
If you checked yes, answer the following:

Name of Person Receiving Benefit	Name of County or State	Case No.

11. Does either parent live in another state? ❑ Yes ❑ No If yes, identify name of person and city and state currently living in. _____

Attachment D: Motion to Modify Child Support - Page 3

For these reasons, I respectfully request that this Court enter its Order modifying ❑ Petitioner's ❑ Respondent's/Co-Petitioner's child support obligation.

Date: _____

_____
❑ Petitioner OR ❑ Respondent/Co-Petitioner

_____
Address

_____
City, State, Zip Code

_____
(Area Code) Telephone Number (home)

_____
(Area Code) Telephone Number (work)

CERTIFICATE OF SERVICE

I certify that on (date)_____ the original and one copy of this document were filed with the Court; and, a true and accurate copy of the ***MOTION TO MODIFY CHILD SUPPORT UNDER §14-10-122 C.R.S.*** was served on the other party by ❑ Hand Delivery **OR** ❑ Faxed to this number:_____

OR ❑ by placing it in the United States mail, postage pre-paid, and addressed to the following:

TO:_____

_____

_____

_____
(Your signature)

Attachment E: Power of Attorney

Power of Attorney

Temporary Guardianship Authorization

I, _____, state that I am the parent of the following child(ren):

Name	date of birth	social security number
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____

Authorization and Consent of Parent

I hereby authorize, _____, to serve as Temporary Guardian for the above-named child(ren) as follows:

1. I grant full authority for the above named child to live with the temporary guardian and to travel with the temporary guardian.
2. I grant full authority for the temporary guardian to act in my place and make decisions regarding the child's recreational, religious and educational activities.
3. I grant full authority for the temporary guardian to authorize medical and dental care for the above named child that the temporary guardian believes is needed for the child. This care includes, but is not limited to medical and dental exams, x-rays, medical and dental tests, surgeries, anesthesia, surgical operations, and hospital care. Any medical treatment shall be provided only upon the advice and supervision of a licensed surgeon, physician, dentist or other medical practitioner.
4. This authorization shall cover the period from _____ to _____, not to exceed nine (9) months.

Parent: _____ Date: _____

Sworn to before me this ____ day of _____, 200___ in _____, Colorado.

_____

Notary/Case Manager

Consent of Temporary Guardian

I affirm that I will assume full responsibility for the child who will live with me during the period designated above. I agree to make the necessary decisions regarding this child and to provide consent for the child as designated in the above Authorization of Parent.

Temporary Guardian: _____ Date: _____

Subscribed and sworn to before me this _____ day of _____200_.

_____

Notary Public

Address:

Attachment F: Motion to File Without Payment & Financial Affidavit

❑ County Court ❑ District Court _____ County, Colorado Court Address: Plaintiff/Petitioner: vs. Defendant/Respondent:	▲ COURT USE ONLY ▲
Attorney or Party Without Attorney (Name and Address): Phone Number: E-mail: FAX Number: Atty. Reg.#:	Case Number: Division Courtroom

MOTION TO FILE WITHOUT PAYMENT AND SUPPORTING FINANCIAL AFFIDAVIT

I, _____ respectfully move the Court for an order allowing the filing of a: ❑ complaint; ❑ petition; ❑answer; ❑response; ❑motion to modify; ❑petition to seal criminal records; ❑other: _____ without payment of a filing fee and as grounds state that I am without funds, have no adequate funds available and have a meritorious claim.

ALL ITEMS MUST BE FULLY COMPLETED. PRINT NEATLY. IF AN ITEM DOES NOT APPLY, WRITE N/A

Petitioner/Plaintiff or Respondent/Defendant

Last Name	First Name	MI

Street Address (Include Apt. # if applicable)
_____
City State Zip Code

❑ OWN ❑ RENT
Home Phone Number: ( )

Social Security #	Driver's Lic. # /State	Date of Birth

Most Recent Employer: _____
Work Address: _____
Work Phone #: ( ) _____
Dates Employed: _____
Hours/Week: _____ Pay Rate: $ _____
Pay Dates:

***Spouse's*Employment (if applicable)**

Last Name	First Name	MI

Spouse's Most Recent Employer: _____
Work Address: _____
Work Phone #: ( ) _____
Dates Employed: _____
Hours/Week: _____ Pay Rate: $ _____
Pay Dates:

Marital Status: ❑ Single ❑ Married ❑ Divorced ❑ Separated ❑ Widowed
Number in Household _____List Names and Ages:
_____
_____
_____

CASH ON HAND **(Cash you are carrying or which is stored at home, etc.)**
$ _____

Credit Cards: (Show type, and balance owed.)

	Type of Account	Bank Name/Loc.	Account Number	Balance
Bank Accounts (checking/savings, etc.)	_____	_____	_____	$ _____
	_____	_____	_____	$ _____

	Type of Investment	Name/Loc. of Company/Corp.	Account Number	Balance
Stocks, Bonds, or other Investments Held	_____	_____	_____	$ _____
	_____	_____	_____	$ _____

House(s) or other Property
1. Est. Value $ _____ Amount Owed $_____ Year Purchased _____County _____
2. Est. Value $ _____ Amount Owed $ _____ Year Purchased _____County _____

Vehicles Owned (Autos, boats, recreational vehicles, etc.) Show YEAR, MODEL, LICENSE PLATE NO., VALUE

If incarcerated, amount in Inmate Account $ _____. (Attach copy of Inmate Trust Fund Account statement for six-month period immediately preceding filing pursuant to §13-17.5-103, C.R.S.)

GROSS MONTHLY INCOME	AMOUNT		MONTHLY EXPENSES	AMOUNT
Earnings (Self)	$		Rent or Mortgage	$
Earnings (Spouse)			Food	
Parents (if parents support you)			Utilities	
Unemployment Benefits			Clothing	
Social Security			Child Support	
Food Stamps/Public Assistance			Alimony	
Child Support/Alimony Income			Medical	
Other Income (identify source)			Other Expenses (identify)	
Total Income	**$ 0.00**		**Total Expenses**	**$ 0.00**

I swear under penalty of perjury that all information provided is true and complete. In addition, I authorize the Court to make any necessary contacts to verify the information.

Signature _____ **Date** _____

Attachment G: Finding and Order Concerning Payment of Fees

❑ County Court ❑ District Court _____ County, Colorado Court Address: **Plaintiff/Petitioner** **vs.** **Defendant/Respondent:**	▲ **COURT USE ONLY** ▲
Attorney or Party Without Attorney (Name and Address): Phone Number: E-mail: FAX Number: Atty. Reg.#:	Case Number: Division Courtroom
FINDING AND ORDER CONCERNING PAYMENT OF FEES	

Party requesting to proceed without payment of fees: _____

Upon review of the attached Financial Affidavit, the above party is:

❑ Eligible to proceed without payment (specify fee(s) and amount(s)) _____
_____

❑ Not Eligible to proceed without payment.

❑ Not Eligible to proceed without payment, but because of allegations of domestic abuse, Petitioner will be allowed to file Petition and must pay filing fee within fourteen (14) days.

_____ _____
Signature of Eligibility Investigator/Clerk of Judge/Magistrate Date

ORDER

The Court has reviewed the motion to proceed without payment of fees and so orders:

❑ As indicated above

❑ The specified party is ordered to pay _____ by
Fee Amount(s)

_____
Date

❑ Other _____

Pursuant to §13-16-103, C.R.S., in the event the party who receives a waiver of costs prosecutes or defends an action or proceeding successfully, there shall be a judgment entered in his/her favor in the amount of the costs and the party shall, upon collecting such costs, remit them to the court.

Date: _____ BY THE COURT:

_____

Directories

In this section, the following directories are included so that you know how to contact various state agencies, courts, or community resources.

Directory 1: List of District Courts/Judicial District Directory 64
Directory 2: List of Family Court Facilitators 66
Directory 3: County Department of Social Services (Human Services), Child Welfare Offices 69
Directory 4: County Child Support Enforcement Units 72
Directory 5: Department of Corrections Facilities, Inmate Locator and Parole 75
Directory 6: Community Resources for Incarcerated Parents 77

Directory 1: List of District Courts/Judicial District Directory

1st Judicial District

Jefferson County Court & Administrative Facility Court Section
100 Jefferson County Parkway,
Golden, CO 80401-6002
(303) 271-6145
Automated call router
(303) 271-6215
Probation (303) 271-6364

Gilpin Combined Courts
Gilpin County Justice Center
2960 Dory Hill Road, Suite 200,
Golden, CO 80403-8780
(303) 271-6145
Automated call router (303) 271-6215
Probation (303) 271-6364

2nd Judicial District

City & County Building
1437 Bannock Street, Room 256,
Denver, CO 80202
Information Number (720) 865-8301

Denver Juvenile Court
1437 Bannock Street, Room 157,
Denver, CO 80202
Information Number (720) 865-8285

3rd Judicial District

Las Animas County Courthouse
200 East First Street, Room 304,
Trinidad, CO 81082
(719) 846-3316

Huerfano County Courthouse
401 Main Street, Suite 304,
Walsenburg, CO 81089
(719) 738-1040

4th Judicial District

El Paso County Court House
20 East Vermijo
P. O. Box 2980, Colorado Springs
80901-2980
(719) 448-7700

5th Judicial District

Eagle County Justice Center
P. O. Box 597, 885 Chambers
Avenue, Eagle, CO 81631
(970) 328-6373

Clear Creek County Courthouse
P. O. Box 367, 5th & Argentine,
Georgetown, CO 80444
(303) 569-3272

Lake County Courthouse
P. O. Box 55, 5th & Harrison
Avenue, Leadville, CO 80461
(719) 486-0535

Summit County Justice Center
P. O. Box 185, 501 North Park
Avenue, Breckenridge, CO 80424
(970) 453-2241

6th Judicial District

Archuleta County Courthouse
P. O. Box 148, 449 San Juan
Street, Pagosa Springs, CO 81147
(970) 264-5932

La Plata County Courthouse
1060 Second Avenue (zip 81301)
P. O. Box 759, Durango, CO
81302
(970) 247 2004

San Juan County Courthouse
P. O. Box 900, 1447 Greene
Street, Silverton, CO 81433
Trial Courts (970) 382-9375

7th Judicial District

Delta County Courthouse
501 Palmer Street #338,
Delta, CO 81416
(970) 874-4416 x 100

Gunnison County Courthouse
200 East Virginia Avenue,
Gunnison, CO 81230
(970) 641-3500 x 12

Hinsdale County Courthouse
P. O. Box 245, 317 Henson,
Lake City, CO 81235
(970) 944-2227

Montrose County Justice Center Courts Building
1200 North Grand Avenue, Bin
A, Montrose, CO 81401-3146
(970) 252-4336

Nucla Courthouse
P. O. Box 78, 320 Main,
Nucla, CO 81424
(970) 864-7373

Ouray County Courthouse
P. O. Box 643, 541 Fourth,
Ouray, CO 81427
(970) 325-4405 x 10

San Miguel County Courthouse
P. O. Box 919, 305 South
Colorado, Telluride, CO 81435
(970) 728-3891 x 11

8th Judicial District

Jackson County Courthouse
P. O. Box 308, 396 Lafever Street,
Walden, CO 80480
(970) 723-4363

Larimer County Justice Center
201 La Porte Avenue, Suite 100,
Fort Collins, CO 80521-2761
(970) 498-6100
606 North Cleveland
Loveland, CO 80537
(970) 679-4420

9th Judicial District

Garfield County Courthouse
109 – 8th Street, Suite 104,
Glenwood Springs, CO 81601
(970) 945-5075

Rifle County Courthouse
110 East 18th Street,
Rifle, CO 81650
(970) 625-5100

Pitkin County Courthouse
506 East Main, Suite 300,
Aspen, CO 81611
(970) 925-7635

Rio Blanco County Courthouse
P. O. Box 1150, 555 Main Street, Meeker, CO 81641
(970) 878-5622

City/County Municipal Building
209 East Main, Rangely, CO 81648
(970) 675-2342

10th Judicial District

Pueblo County Judicial Building
320 West Tenth Street,
Pueblo, CO 81003
(719) 583-7125

11th Judicial District

Chaffee County Judicial Building
P. O. Box 279, 142 Crestone,
Salida, CO 81201
(719) 539-2561

Custer County Courthouse
P. O. Box 60, 205 South 6th Street, Westcliffe, CO 81252
(719) 783-2274

Fremont County Combined Courts
Justice Center Road, Room 103
Canon City, CO 81212
(719) 269-0100

Park County Courthouse
P. O. Box 190, 300 Fourth Street,
Fairplay, CO 80440
(719) 836-2940

12th Judicial District

Alamosa County Courthouse
702 Fourth Street, District Court,
Alamosa, CO 81101
(719) 589-4996

13th Judicial District

Logan County Courthouse
P. O. Box 1907, Third & Ash (Annex), Sterling, CO 80751
(970) 522-1572

14th Judicial District

Routt County Courthouse
P. O. Box 773117,
522 Lincoln Avenue,
Steamboat Springs, CO 80477
(970) 879-5020

15th Judicial District

Prowers County Courthouse
301 South Main, Suite 300,
Lamar, CO 81052
(719) 336-7424

16th Judicial District

Otero County Courthouse
13 West Third Street, Room 207,
La Junta, CO 81050
(719) 384-4981

17th Judicial District

Adams County Justice Center
1100 Judicial Center Drive
Brighton, CO 80601
(303) 659-1161

18th Judicial District

Arapahoe County Justice Center
7325 South Potomac Street,
Englewood, CO 80112
General Information Number
(303) 649-6355

19th Judicial District

Weld County Courthouse
901 Ninth Avenue (zip 80631)
P. O. Box C, Greeley, CO 80632
(970) 351-7300

20th Judicial District

Boulder Justice Center
P. O. Box 4249,
Boulder, CO 80306-4249
(303) 441-3750

21st Judicial District

Mesa County Justice Center
P. O. Box 20,000,
Grand Junction, CO 81502-5030
(970) 257-3625

22nd Judicial District

Montezuma District Court
109 West Main, Room 210,
Cortez, CO 81321-3190
(970) 565-1111

Directory 2: List of Family Court Facilitators

1st Judicial District

Amy Naes
Family Court Facilitator-Juvenile
1st Judicial District
100 Jefferson County Parkway
Golden, CO 80401
Phone: 303-271-6186
Fax: 303-271-6271
E-mail:
amy.naes@judicial.state.co.us

Loretta Koehler
Family Court Facilitator-Domestic
1st Judicial District
100 Jefferson County Parkway
Golden, CO 80401
Phone: 303-271-6105
Fax: 303-271-6238
E-mail:
loretta.koehler@judicial.state.co.us

2nd Judicial District

Barbara Bosley
Family Court Facilitator - Juvenile
Denver Juvenile Court
2nd Judicial District
1437 Bannock, Rm. 157
Denver, CO 80202
Phone: 720-865-8236
Fax: 720-865-8270
E-mail:
barbara.bosley@judicial.state.co.us

Jennifer Cohen
Family Court Facilitator-Domestic
Denver District Court
2nd Judicial District
1437 Bannock
Denver, CO 80202
Phone: 720-865-8371
Fax: 720-865-8582
E-mail:
jennifer.cohen@judicial.state.co.us

3rd Judicial District

TBA

4th Judicial District

Nicolle Rugh
Family Court Facilitator-Domestic-DWD
4th Judicial District
El Paso County Judicial Building
20 E. Vermijo
Colorado Springs, CO 80903
Phone: 719-448-7570
Fax: 719-329-7046
E-mail:
nicolle.rugh@judicial.state.co.us

Michael Vigil
Family Court Facilitator-Domestic
4th Judicial District
El Paso County Judicial Building
20 E. Vermijo
Colorado Springs, CO 80903
Phone: 719-448-7781
Fax: 719-667-5540
E-mail:
michael.vigil@judicial.state.co.us

Jim Hustad
Family Court Facilitator-Juvenile
4th Judicial District
20 E. Vermijo, Room 410
Colorado Springs, CO 80903
Phone: 719-448-7683
Fax: 719-227-5178
E-mail:
jim.hustad@judicial.state.co.us

5th Judicial District

Laurie J. Mactavish
Family Court Facilitator
5th Judicial District
PO Box 269
Breckenridge, CO 80424
Phone: 970-453-2241 Ext. 36
Fax: 970-453-1134
E-mail:
laurie.mactavish@judicial.state.co.us

6th Judicial District

Barb Swain
Family Court Facilitator
6th Judicial District
P.O. Box 3340
Durango, CO 81302
Phone: 970-247-2004 Ext. 114
Fax: 970-259-0258
E-mail:
barb.swain@judicial.state.co.us

7th Judicial District

James Schum
Family Court Facilitator/
Magistrate
7th Judicial District
501 Palmer #338
Delta, CO 81416
Phone: 970-874-6292
Fax: 970-874-4306
E-mail:
james.schum@judicial.state.co.us

8th Judicial District

Susan Winfield
Family Court Facilitator-Domestic
8th Judicial District
201 Laporte Avenue, Suite 100
Fort Collins, CO 80521-2761
Phone: 970-498-6288
Fax: 970-498-6150
E-mail:
susan.winfield@judicial.state.co.us

9th Judicial District

Ruben M. Hernandez
Case Manager/Research Attorney
9th Judicial District
109 8th Street, Suite 194
Glenwood Springs, CO 81601
Phone: 970-947-3863
Fax: 970-945-8756
E-mail:
ruben.hernandez@judicial.state.co.us

9th Judicial District

Amy Wescott
Family Court Facilitator-Domestic
109 8th Street, Suite 104
Glenwood Springs, CO 81601
Phone: 970-947-3878
Fax: 970-945-8756
E-mail:
amy.wescott@judicial.state.us.co

10th Judicial District

Rebecca Moss
Family Court Facilitator – Juvenile/Domestic
10th Judicial District
320 W. 10th Street
Pueblo, CO 81003
Phone: (719) 583-7119
Fax: (719) 583-7126
E-mail:
rebecca.moss@judicial.state.co.us

11th Judicial District

Terry Nyberg
Family Court Facilitator-Juvenile
11th Judicial District
Fremont County Combined Court
136 Justice Center Road,
Rm. 103
Canon City, CO 81212
Phone: 719-269-0100, x3539
Fax: 719-269-0132
E-mail:
terry.nyberg@judicial.state.co.us

12th Judicial District

Alice Price
Family Court Facilitator
12th Judicial District
702 Fourth Street
Alamosa, CO 81101
Phone: 719-589-4996
Fax: 719-589-2518
E-mail:
alice.price@judicial.state.co.us

13th Judicial District

Kirsten Braithwaite
Family Court Facilitator
13th Judicial District
Morgan District Court
P.O. Box 130
Fort Morgan, CO 80701
Phone: 970-542-3435
Fax: 970-542-3436
E-Mail:
kirsten.braithwaite@judicial.state.co.us

14th Judicial District

Shelley Hill
Family Court Facilitator/ Magistrate
14th Judicial District
522 Lincoln Ave.
Steamboat Springs, CO 80477
Phone: 970-879-5020
Fax: 970-879-3531
E-mail:
shelley.hill@judicial.state.co.us

15th Judicial District

Cindie Farmer
Family Court Facilitator-Domestic/Juvenile
15th Judicial District
Prowers District Court
301 South Main, Suite 300
Lamar, CO 81052
Phone: 719-336-7424
Fax: 719-336-9757
E-mail:
cindie.farmer@judicial.state.co.us

16th Judicial District

Wendy Larsen
Family Court Facilitator-Domestic/Juvenile
16th Judicial District
13 W. 3rd Street, Room 207
La Junta, CO 81050
Phone: 719-384-4981
Fax: 719-384-4991
E-mail:
wendy.larsen@judicial.state.co.us

17th Judicial District

Simon Mole
Family Court Facilitator-Domestic/Juvenile
17th Judicial District
Adams County Justice Center
1100 Judicial Center Drive
Brighton, CO 80601
Phone: 303-654-3284
Fax: 303-654-3215
E-mail:
simon.mole@judicial.state.co.us

Bill Delisio
Family Court Facilitator - Juvenile
17th Judicial District
Adams County Justice Center
1100 Judicial Center Drive
Brighton, CO 80601
Phone: 303-654-3230
Fax: 303-654-3215
E-mail:
bill.delisio@judicial.state.co.us

18th Judicial District

Cynthia Butler
Family Court Facilitator - Juvenile
18th Judicial District
7325 South Potomac Street
Englewood, CO 80112
Phone: 303-645-1758
Fax: 303-649-6185
E-mail:
cynthia.butler@judicial.state.co.us

Zoe Cole
Family Court Facilitator-Domestic
18th Judicial District
7325 South Potomac Street
Englewood, CO 80112
Phone: 303-649-6370
Fax: 303-649-6371
E-mail:
zoe.cole@judicial.state.co.us

19th Judicial District

Michelle Gaschler
Family Court Facilitator
Juvenile/Domestic
19th Judicial District
P.O. Box 2038
Greeley, CO 80632
Phone: 970-351-7300, ext. 4338
Fax: 970-336-7245
E-mail:
michelle.gaschler@judicial.state.co.us

20th Judicial District

Carolyn McLean
Family Court Facilitator
20th Judicial District
Division A, P.O. Box 4249
Boulder, CO 80306-4249
Phone: 303-441-4979
Fax: 303-441-1695
E-mail:
carolyn.mclean@judicial.state.co.us

Norma Sierra
Family Court Facilitator-Domestic
20th Judicial District
PO Box 4249
Boulder, CO 80306
Phone: 303-441-3739; 441-1717
Fax: 303-441-1677
E-mail:
norma.sierra@judicial.state.co.us

21st Judicial District

Diane Lucero
Family Court Facilitator
21st Judicial District
544 Rood Avenue
P.O. Box 20,000
Grand Junction, CO 81502-5030
Phone: 970-257-8763
E-mail:
diane.lucero@judicial.state.co.us

Steve Cline
Family Court Facilitator-Domestic
Mesa County Courthouse
PO Box 20000
Grand Junction, CO 80401
Phone: 970-257-3684
Fax:
E-mail:
steve.cline@judicial.state.co.us

22nd Judicial District

Margaret Du Bois
Family Court Facilitator-Domestic
22nd Judicial District
District Court
109 West Main Street Room 210
Cortez, CO 81321-3190
Phone: 970-565-1111 Ext. 14
Fax: 970-565-8516
E-mail:
margaret.dubois@judicial.state.co.us

Directory 3: County Departments of Social Services Child Welfare Offices

Adams County Department of Social Services
(303) 287-8831
(303) 227-2106 (fax)
acdss1@CONCENTRIC.NET
Dr. Donald M. Cassata, Director
7190 Colorado Blvd.
Commerce City, CO 80022

Alamosa County Department of Social Services
(719) 589-2581
(719) 589-9794 (fax)
lhenders@FONE.NET
Larry Henderson, Director
P.O. Box 1310 (mail)
610 State Street (physical)
Alamosa, CO 81101

Arapahoe County Department of Social Services
(303) 795-4850
(303) 795-4861 (fax)
bfield@CO.ARAPAHOE.CO.US
Brian Field, Director
1690 W. Littleton Blvd.
Littleton, CO 80120-2069

Archuleta County Department of Social Services
(970) 264-2182
(970) 264-2186 (fax)
erlinda.gonzalez@state.co.us
Erlinda Gonzales, Director
P.O. Box 240 (mail)
449 San Juan (physical)
Pagosa Springs, CO 81147

Baca County Department of Social Services
(719) 523-4131
(719) 523-4820 (fax)
persnnl@IGUANA.RURALNET.NET
Linda Fairbairn, Director
772 Colorado Street
Springfield, CO 81073

Bent County Department of Social Services
(719) 456-2620
(719) 456-2945 (fax)
bentcdss@RIA.NET
Thomas O. Hobbs, Director
P.O. Box 326 (mail)
215 2nd Street (physical)
Las Animas, CO 81054

Boulder County Department of Social Services
(303) 441-1000
(303) 441-1289 (fax)
chiss@CO.BOULDER.CO.US
Christine Highnam, Director
3400 Broadway
Boulder, CO 80304

Broomfield County Department of Health and Human Services
(303) 464-5735
kbeye@ci.broomfield.co.us
Karen Beye, Director
6 Garden Center (physical)
One DesCombes Drive (mail)
Broomfield , CO 80020

Chaffee County Department of Social Services
(719) 539-6627
(719) 539-6430 (fax)
nellie@chaffee.net
Robert Christiansen, Director
P.O. Box 1007 (mail)
641 West 3rd Street (physical)
Salida, CO 81201

Cheyenne County Department of Social Services
(719) 767-5629
(719) 767-5101 (fax)
foxstone@ria.net
Dennis Pearson, Director
P.O. Box 146 (mail)
51 South 1st (physical)
Cheyenne Wells, CO 80810

Clear Creek County Department of Human Services
(303) 679-2365
(303) 679-2443 (fax)
Cindy Dicken, Director
P.O. Box 2000 (mail)
Courthouse (physical)
Georgetown, CO 80444

Conejos County Department of Social Services
(719) 376-5455
(719) 376-2389 (fax)
ricardo.expinoza@state.co.us
Ricardo Espinoza, Director
P.O. Box 68 (mail)
Courthouse (physical)
Conejos, CO 81129

Costilla County Department of Social Services
(719) 672-4131
(719) 672-4141 (fax)
alfredo.chavez@state.co.us
Alfredo Chavez, Director
P.O. Box 249 (mail)
123 Gasper St. (physical)
San Luis, CO 81152

Crowley County Department of Social Services
(719) 267-3546
(719) 267-4072 (fax)
robert.keenan@state.co.us
Robert Keenan, Director
P.O. Box 186 (mail)
601 Main (physical)
Ordway, CO 81063

Custer County Department of Human Services
(719) 783-2371
(719) 783-2885 (fax)
laura.lockhart@state.co.us
Laura Lockhart, Director
P.O. Box 929 (mail)
205 South 6th Street (physical)
Westcliffe, CO 81252

Delta County Department of Social Services
(970) 874-2030
(970) 874-2068 (fax)
clemoine@deltacounty.com
William C. Lemoine, Director
Courthouse Annex, 560 Dodge
Delta, CO 81416

Denver County Department of Human Services
(720) 944-3666
(720) 944-3096 (fax)
chris.veasey@dhs.co.denver.co.us
Dr. Chris Veasey, Manager
1200 Federal Blvd.
Denver, CO 80204-3221

Dolores County Department of Social Services
(970) 677-2250
(970) 677-2815 (fax)
dcsasav@fone.net
Dennis Story, Director
P.O. Box 485 (mail)
420 North Main, Courthouse (physical)
Dove Creek, CO 81324

Douglas County Department of Health & Human Services
(303) 688-4825
(303) 688-0292 (fax)
dchhs@douglas.co.us
Joyce M. Jorgensen, Director
101 Third Street
Castle Rock, CO 80104

Eagle County Department of Health & Human Services
(970) 328-8840
(970) 328-6227 (fax)
forinash@vail.net
Kathleen L. Forinash, Director
P.O. Box 660 (mail)
500 Broadway Street (physical)
Eagle, CO 81631

Elbert County Department of Social Services
(719) 541-2369
(719) 541-9505 (fax)
charles.hawker@state.co.us
Charles B. Hawker, Director
P.O. Box 6 (mail)
325 Pueblo Ave. (physical)
Simla, CO 80835

El Paso County Department of Human Services
(719) 636-0000
(719) 444-5599 (fax)
david_berns@co.el-paso.co.us
David A. Berns, Director
P.O. Box 2692 (mail)
Colorado Springs, CO 80901
105 North Spruce (physical)
Colorado Springs, CO 80905

Fremont County Department of Social Services
(719) 275-2318
(719) 275-5206 (fax)
fremcse@rmi.net
Steven A. Clifton, Director
172 Justice Center Road
Canon City, CO 81212

Garfield County Department of Social Services
(970) 945-9191
(970) 928-0465 (fax)
gcdss@aol.com
Margaret Long, Director
P.O. Box 580 (mail)
Glenwood Springs, CO 81602-0580
2014 Blake Ave. (physical)
Glenwood Springs, CO 81602

Gilpin County Department of Human Services
(303) 582-5444
(303) 582-5798 (fax)
lynn.hirshman@state.co.us
Lynn Hirshman, Director
2960 Dory Hill Rd., Suite 100
Black Hawk, CO 80403-8780

Grand County Department of Social Services
(970) 725-3331
(970) 725-3696 (fax)
duane.flessner@state.co.us
Duane L. Flessner, Director
P.O. Box 204 (mail)
620 Hemlock (physical)
Hot Sulphur Springs, CO 80451

Gunnison County Department of Social Services
(970) 641-3244
(970) 641-3738 (fax)
asocservs@gunnison.co.us
Carol Dawson, Acting Director
225 N. Pine Street, Suite A
Gunnison, CO 81230

Hinsdale County Department of Social Services
(970) 641-3244
(970) 641-3738 (fax)
socservs@gunnison.co.us
Carol Dawson, Acting Director
225 N. Pine St, Suite A
Gunnison, CO 81230

Huerfano County Department of Social Services
(719) 738-2810
(719) 738-2549 (fax)
hcdss@rmi.com
Charles Macchietto, Director
121 W. 6th Street
Walsenburg, CO 81089

Jackson County Department of Social Services
(970) 723-4750
(970) 723-4706 (fax)
duane.flessner@state.co.us
Duane L. Flessner, Director
P.O. Box 338
Walden, CO 80480

Jefferson County Department of Human Services
(303) 271-1388
(303) 271-4444 (fax)
tgreen@co.jefferson.co.us
Terry Green, Director
900 Jefferson County Parkway
Golden, CO 80401-6010

Kiowa County Department of Social Services
(719) 438-5541
(719) 438-5370 (fax)
foxstone@ria.net
Dennis Pearson, Director
P.O. Box 187 (mail)
Courthouse, 1305 Goff Street (physical)
Eads, CO 81036

Kit Carson County Dept. of Public Health & Social Services
(719) 346-8732
(719) 346-8066 (fax)
Kindra Mulch, Director
252 S. 14th St.
Burlington, CO 80807

Lake County Department of Human Services
(719) 486-2088
(719) 486-4164 (fax)
catherine.salazar@state.co.us
Catherine Salazar, Director
P.O. Box 884 (mail)
112 W. 5th Street (physical)
Leadville, CO 80461

La Plata County Department of Social Services
(970) 382-6150
(970) 274-2208 (fax)
thompsonjf@co.laplata.co.us
Lezlie Mayer, Acting Director
1060 E. Second Avenue
Durango, CO 81301

Larimer County Department of Human Services
(970) 498-6300
(970) 498-7987 (fax)
rileyge@co.larimer.co.us
Ginny Riley, Director
1501 Blue Spruce Dr.
Fort Collins, CO 80524-2000

Las Animas County Department of Social Services
(719) 846-2276
(719) 846-4269 (fax)
da1boss@activematrix.net
Bill Aragon, Director
204 S. Chestnut Street
Trinidad, CO 81082

Lincoln County Department of Social Services
(719) 743-2404
(719) 743-2879 (fax)
lnctydss@iguana.ruralnet.net
Colette Barksdale, Director
P.O. Box 37 (mail)
Courthouse, 103 3rd Ave. (physical)
Hugo, CO 80821

Logan County Department of Social Services
(970) 522-2194
(970) 521-0853 (fax)
logandss@henge.com
Fredrick J. Crawford, Director
P.O. Box 1746 (mail)
508 South 10th Ave., Suite 2 (physical)
Sterling, CO 80751

Mesa County Department of Human Services
(970) 241-8480
(970) 248-2702 (fax)
papto@mcdss.co.gov
Thomas Papin, Director
P.O. Box 20000-5035 (mail)
2952 North Avenue (physical)
Grand Junction, CO 81502

Mineral County Department of Social Services
(719) 657-3381
(719) 657-4013 (fax)
Jim Berg, Director
P.O. Box 40 (mail)
1015 6th Street (physical)
Del Norte, CO 81132

Moffat County Department of Social Services
(970) 824-8282
(970) 824-9552 (fax)
peer@cmn.net
Marie Peer, Director
595 Breeze Street
Craig, CO 81625

Montezuma County Department of Social Services
(970) 565-3769
(970) 565-8526 (fax)
mcdss1@hubwest.com
Dennis Story, Director
109 W. Main, Room 203
Cortez, CO 81321

Montrose County Department of Social Services
(970) 249-3401
(970) 249-3402 (fax)
marys@ocinet.net
Mary Sawicki, Director
P.O. Box 216 (mail)
107 South Cascade (physical)
Montrose, CO 81402

Directory 4: County Child Support Enforcement Units

Adams Child Support Unit
(719)0, Colorado Blvd.
Commerce City, CO 80022
(303) 227 2233
(303) 227 2239 fax

Alamosa Cty Child Support Unit
P O Box 1310
Alamosa, CO 81101
(719) 589 2581
(719) 589 9794 fax

Arapahoe Cty Child Support Unit
7305 S Potomac St Ste 100
Englewood, CO 80112-4031
(720) 895 8700
(303) 643 4631 fax

Archuleta Cty Child Support Unit
P O Box 240
Pagosa Springs, CO 81147
(970) 264 2182
(970) 264 2186 fax

Baca Cty Child Support Unit
(See Prowers Cty)

Bent Cty Child Support Unit
P O Box 326
Las Animas, CO 81054
(719) 456 2620
(719) 456 2945 fax

Boulder Cty Child Support Unit
529, Coffman St Ste 100A
Longmont, CO 80501
(303) 678 6300
(303) 678 6309 fax

Chaffee Cty Child Support Unit
P O Box 1007
Salida, CO 81201
(719) 539 6627
(719) 539 6430 fax

Cheyenne Cty Child Support Unit
P O Box 146
Cheyenne Wells, CO 80810
(719) 767 5629
(719) 767 5101 fax

Clear Creek Cty Child Support Unit
(See Jefferson Cty)

Conejos Cty Child Support Unit
P O Box 68
Conejos, CO 81129
(719) 376 5455
(719) 376 2389 fax

Costilla Cty Child Support Unit
P O Box 249
San Luis, CO 81152
(719) 672 4131
(719) 672 4141 fax

Crowley Cty Child Support Unit
P O Box 186
Ordway, CO 81063
(719) 267 3546
no fax

Custer Cty Child Support Unit
P O Box 929
Westcliffe, CO 81252
(719) 783 2371
(719) 783 9085 fax

Delta Cty Child Support Unit
P O Box 290
Delta, CO 81416-0290
(970) 874 2063
(970) 874 2069 fax

Denver Cty Family Support Division
1200 Federal Blvd.
Denver, CO 80204
(720) 944 2960 customer service
(720) 944 2556
(720) 944 2660/2193 fax

Dolores Cty Child Support Unit
P O Box 485
Dove Creek, CO 81324
(970) 677 2240
(970) 677 2859 fax

Douglas Cty Child Support Unit
4000 Justice Way Ste 2250
Castle Rock, CO 80104
(720) 895 8700
(720) 814 7014 fax

Eagle Cty Child Support Unit
P O Box 660
Eagle, CO 81631
(970) 328 8851
(970) 328 6227 fax

Elbert Cty Child Support Unit
(See Douglas Cty)

El Paso Cty Child Support Unit
25 N Tejon 2nd Floor
Colorado Springs, CO 80903
(719) 381 4000
(719) 381 4060 fax

Fremont Cty Child Support Unit
172 Justice Center Rd
Canon City, CO 81212
(719) 275 2318
(719) 269 2339 fax

Garfield Cty Child Support Unit
P O Box 580
Glenwood Springs, CO 81602
800 530 3891 toll free
(970) 945 9191
(970) 928 0465 fax

Gilpin Cty Child Support Unit
(See Jefferson Cty)

Grand Cty Child Support Unit
P O Box 204
Hot Sulphur Springs, CO 80451
(303) 572 3821 from metro Denver
(970) 725 3331
(970) 725 3696 fax

Gunnison Cty Child Support Unit
225 N Pine St Ste A
Gunnison, CO 81230
(970) 641 3244
(970) 641 3061 fax

Hinsdale Cty Child Support Unit
(See Gunnison Cty)

Huerfano Cty Child Support Unit
121 W 6th St
Walsenburg, CO 81089
(719) 738 2810
(719) 738 2549 fax

Jackson Cty Child Support Unit
(See Grand Cty)

Jefferson Cty Child Support Unit
900 Jefferson, County Pky
Golden, CO 80401
(303) 271 4300
(303) 271 4091 fax

Kiowa Cty Child Support Unit
P O Box 187
Eads, CO 81036
(719) 438 5541
(719) 438 5370 fax

Kit Carson Cty Child Support Unit
252 S 14th St
Burlington, CO 80807
(719) 346 8732
(719) 346 8066 fax

Lake Cty Child Support Unit
P O Box 884
Leadville, CO 80461
(719) 486 1673
(719) 486 4164 fax

La Plata Cty Child Support Unit
1060 E Second Ave
Durango, CO 81301
(970) 382 6144
(970) 385 5269 fax

Larimer Cty Child Support Unit
1501 Blue Spruce Dr
Fort Collins, CO 80524-2000
(970) 498 6458
(970) 498 6310 fax

Las Animas Cty Child Support Unit
204 S Chestnut St
Trinidad, CO 81082
(719) 846 2276
(719) 846 4269 fax

Lincoln Cty Child Support Unit
(See Douglas Cty)

Logan Cty Child Support Unit
P O Box 1746
Sterling, CO 80751
(970) 522 2194
(970) 521 0853 fax

Mesa Cty Child Support Unit
P O Box 20000
Grand Junction, CO 81502-5035
(970) 248 2780
(970) 248 2883 fax

Mineral Cty Child Support Unit
(See Rio Grande Cty)

Moffat Cty Child Support Unit
595 Breeze St
Craig, CO 81625
(970) 824 8282
(970) 824 9552 fax

Montezuma Cty Child Support Unit
109 W Main St #203/Courthouse
Cortez, CO 81321-3179
(970) 565 3769
(970) 565 0172 fax

Montrose Cty Child Support Unit
1200 N Grand Ave #C
Montrose, CO 81401
(970) 252 4200
(970) 252 4210 fax

Morgan Cty Child Support Unit
P O Box 220
Fort Morgan, CO 80701
(970) 542 3530
(970) 542 3544 fax

Otero Cty Child Support Unit
P O Box 494
La Junta, CO 81050
(719) 383 3100
(719) 383 3102 fax

Ouray Cty Child Support Unit
(See Montrose Cty)

Park Cty Child Support Unit
(See Fremont Cty)

Phillips Cty Child Support Unit
246 S Interocean
Holyoke, CO 80734
(970) 854 2280
(970) 854 3637 fax

Pitkin Cty Child Support Unit
(See Garfield Cty)

Prowers Cty Child Support Unit
P O Box 1157
Lamar, CO 81052
(719) 336 7486
(719) 336 (719)8 fax

Pueblo Cty Child Support Unit
212 W 12th St
Pueblo, CO 81003
(719) 583 6926
(719) 583 6946 fax

Rio Blanco Cty Child Support Unit
345 Market St
Meeker, CO 81641
(970) 878 5011
(970) 878 4999 fax

Rio Grande Cty Child Support Unit
P O Box 40
Del Norte, CO 81132
(719) 657 3381
(719) 657 4013 fax

Routt Cty Child Support Unit
P O Box 772790
Steamboat Springs, CO 80477
(970) 870 5256
(970) 870 5260 fax

Saguache Cty Child Support Unit
P O Box 215
Saguache, CO 81149
(719) 655 2537
(719) 655 0206 fax

San Juan Cty Child Support Unit
(See La Plata Cty)

San Miguel Cty Child Support Unit
(See Delta Cty)

Sedgwick Cty Child Support Unit
P O Box 27
Julesburg, CO 80737
(970) 474 3397
(970) 474 9881 fax

Summit Cty Child Support Unit
P O Box 869
Frisco, CO 80443
(970) 668 4100
(970) 668 4115 fax

Teller Cty Child Support Unit

(See El Paso Cty)

Washington Cty Child Support Unit
875 E 1st St
Akron, CO 80(720)
(970) 345 2238
(970) 345 2237 fax

Weld Cty Child Support Unit
P O Box A
Greeley, CO 80632
(970) 352 6933
(970) 346 7691 fax

Yuma Cty Child Support Unit
340 S Birch
Wray, CO 80758
(970) 332 4877
(970) 332 4978 fax

Directory 5: Department of Corrections Facilities, Inmate Locator and Parole

Department of Corrections, Central Office, 2862 S. Circle Drive, Colorado Springs, CO 80906-4195, telephone (719)579-9580, fax (719) 226-4755, website: www.doc.state.co.us

Inmate Locator: If you do not know which prison an inmate is incarcerated, call the Department of Corrections' Inmate Locator Service: (719) 579-9580. Please give the operator the inmate's name and Department of Corrections' registration number (if known). The operator will be able to give you the name and address of the prison where the inmate is located and the case manager's name.

Department of Corrections Facilities

Toll-Free Number
1-888-613-3188

Arkansas Valley Correctional Facility
12750 Highway 96, P.O. Box 1000, Crowley, CO 81034
(719) 267-3520

Arrowhead Correctional Facility
P.O. Box 300,
Canon City, CO 81215-0300
(719) 269-5601

Buena Vista Correctional Facility
15125 Hwy 24 & 285,
P.O. Box 2017,
Buena Vista, CO 81211
(719) 395-2404

Buena Vista Minimum Center
15125 Hwy 24 & 285,
P.O. Box 2005,
Buena Vista, CO 81002
(719) 395-2404

Centennial Correctional Facility
P.O. Box 600,
Canon City, CO 81215-0600
(719) 269-5510

Colorado Correctional Alternative Program (Boot Camp)
P.O. Box 2017,
Buena Visa, CO 81211
(719)395-2404

Colorado Correctional Center
(Camp George West) 15445 Old Golden Road,
Golden, CO 80401
(303) 273-1620

Colorado State Penitentiary
P.O. Box 777,
Canon City, CO 81215-0777
(719) 269-5120

Colorado Territorial Correctional Facility
275 W. Highway 50,
P.O. Box 1010,
Canon City, CO 81215-1010
(719) 269-4002

Colorado Women's Correctional Facility
3800 Grandview,
P.O. Box 500,
Canon City, CO 81215-0500
(719) 269-4704

Delta Correctional Facility
1140 G E-10 Lane,
Delta, CO 81416
(970) 874-7614

Denver Reception & Diagnostic Center
10900 Smith Road,
P.O. Box 392004,
Denver, CO 80239-8004
(303) 371-4804

Denver Women's Correctional Facility
10900 Smith Road,
P.O. Box 392005,
Denver, CO 80239
(303) 307-2500

Fort Lyon Correctional Facility
P.O. Box 1000,
Ft. Lyon, CO 81038
(719) 456-2201

Four Mile Correctional Facility
P.O. Box 200,
Canon City, CO 81215-0200
(719)269-5388

Fremont Correctional Facility
P.O. Box 999,
Canon City, CO 81215-0999
(719) 269-5002

Limon Correctional Facility
490303 Highway 71, County Rd. 3C,
Limon, CO 80826
(719) 775-9221

Pueblo Minimum Center
1410 W. 13th Street,
P.O. Box 3,
Pueblo, CO 81002
(719) 583-5711

Rifle Correctional Facility
0200 County Road 219,
Rifle, CO 81650
(970) 625-7578

San Carlos Correctional Facility
1410 W. 13th St.,
P.O. Box 3,
Pueblo, CO 81003
(719) 544-4800

Skyline Correctional Facility
P.O. Box 800,
Canon City, CO 81215-0800
(719)269-5420

Sterling Correctional Facility
P.O. Box 6000,
Sterling, CO 80751
(970) 521-5010

Trinidad Correctional Facility
21000 E. Highway 350,
Model, CO 81059
(719) 845-1027

Youth Offender System
1401 W. 17th St.,
Pueblo, CO 81003
(719) 583-5902

Private Prisons:

Bent County Correctional Facility
11560 Rd. FF 75,
Las Animas, CO 81054
(719) 456-2610

Huerfano County Correctional Facility
304 Ray Sandoval Rd.,
Walsenburg, CO 81089
(719) 738-3246

Crowley County Correctional Facility
6564 State Highway 96,
Olney Springs, CO 81062
(719) 267-3548

Kit Carson Correctional Facility
P.O. Box 2000,
Burlington, CO 80807
(719) 346-9450

Division of Adult Parole and Community Corrections (Department of Corrections):

To inquire about someone on parole, contact Adult Parole Headquarters,
12157 W. Cedar Drive,
Lakewood, CO 80228
(303) 763-2420
fax (303)763-2446
The Division of Adult Parole is organized into 6 regions that operate sixteen offices. You can ask headquarters for the address and telephone number for the appropriate regional office.

Colorado Parole Board Headquarters

To inquire about parole hearings, contact the Colorado Parole Board, 1600 W. 24th St., Bldg. 54,
Pueblo, CO 81003
telephone-(719) 583-5800,
fax (719) 583-5805.

Directory 6: Community Resources for Incarcerated Parents

The following is a partial list of organizations that may be particularly useful for parents who are incarcerated or recently released from prison.

Programs That Work with Children

Rocky Mountain Forum of United Way
2505 18th St.
Denver, CO 80211-3907
(303) 433-8383
Services available*: Contact for listing of programs for children in your area.*

Partners Mentoring Association (main number)
Contact: Steve Robinson
800 Grant Street, Suite 320
Denver, CO 80203
(303) 831-7872
Services Available: *Program matches a child with an adult mentor for support.*

Big Brothers/Big Sisters (3 regional offices in Colorado)
Services Available: *Program matches a child with an adult mentor for support.*

Big Brothers/Big Sisters of Northern Colorado
2420 W. 26th Ave., Suite 450-D Denver, CO 80211
(303) 433-6022

Big Brothers/Big Sisters of Colorado Springs
111 S. Tejon St., Suite 302
Colorado Springs, CO 80903
(719) 633-2443

Big Brothers/Big Sisters of Durango
P.O. Box 2154
Durango, CO 81302
(970) 247-3720

Family and Corrections Network (FCN)
32 Oak Grove Rd.
Elmyra, Virginia 22963
(804) 589-3036
www.fcnetwork.org
Services Available: *FCN is a membership organization that provides information about programs that promote and strengthen family ties for parents in prison. Also publish a periodic newsletter called the FCN Report on various issues that affect parents in prison, their children and their families. FCN also provides information, consultation, and technical assistance in developing programs in local communities.*

National Institute of Corrections
1960 Industrial Circle #A
Longmont, CO 80501
(303) 682-0382
800-877-1461
www.nicic.org
Services Available: *Contact for a copy of the* Directory of Programs Serving Families of Adult Offenders*, edited by James W. Mustin, 1998, which provides an extensive state-by-state listing of programs and organizations focused on children and families of offenders.*

YMCA
National number (888) 333-9622
(there is no "state" office – just a person at the national level who is responsible for the state of Colorado.
Services Available: *Contact for listing of programs available for children in your area.*

Programs available for parents in prison or released on parole

Challenge Program
Community College of Denver
2420 West 26th Avenue, Building D, Suite 100
Denver, CO 80211
(303) 477-5864
Services Available: *GED preparation and testing, pre-employment skill development, initial and continuing academic advising, referral to CCCOES institutions and other four-year colleges and universities, assistance with completing financial aid applications and forms, basic academic skills assessment and development, post-secondary education, vocational training, workplace literacy and job placement assistance.*
Criteria for Service Utilization: *Department of Corrections register number, on regular or ISP parole, or in community corrections.*

Church in the City
Prison Ministry
Carlos Chavez
1530 Josephine St.
Denver, CO 80206
(303) 322-5733
Services Available: *Provides bus trips to various prisons on Saturdays. Contact Mr. Chavez for scheduling information.*

Colorado CURE
3470 S. Poplar, #406
Denver, CO 80206
Contact: Dianne Tramutola-Lawson
Services Available: *Advocacy for people in prison and their families.*

Empowerment Program
1600 York Street
Room 201
Denver, CO 80206
(303) 320-1989
Services Available: *Education, employment, housing, counseling and support to women and teens including case management, transitional and affordable housing.*
Criteria for Service Utilization: *Women only*

Family Homestead
PO Box 40186
Denver, CO 80204
(303) 623-6514
Services Available: *Emergency and transitional housing with supportive case management for homeless families with children.*

Grandparents Resource Center
Contact: Shirley Sogah
P. O. Box 27064
Denver, CO 80204
(303) 980-5707
Services Available: *Information on custody and visitation rights. Domestic violence counseling, legal/psychiatric referrals; support groups for grandparents; free legal advocacy for low-income families seeking legal custody or visitation rights. Can provide mediation for families in conflict - there may be a fee for this service.*

New Horizon Ministries
2956 E. Main St.
Canon City, CO 81212
(719) 275-5242
Services Available: *Helps pregnant women in prison make custody arrangements for their newborns. Can take care of newborns while their mothers are in prison with strong emphasis on visitation with their mothers and family reunification once the mother is released from prison.*

Redeemed Ones-Jail and Prison Ministry
Contact: Rev. Patricia Winn
1400 Dayton St.
Aurora, CO 80010
(303) 360-9885
Services Available: *Half-way house for women; food and clothing bank, spiritual encouragement to those in prison or in need.*

Rocky Mountain Peace & Justice Center
Contact: Christie Donner
P. O. Box 1156
Boulder, CO 80306
(303) 444-6981
Services Available: *Referrals for parents in prison*

Work and Family Center
1001 Perry Street
Denver, CO 80204
(303) 825-1115
Services Available: *helping people released from prison find jobs, reunite with their families, child support issues, TANF, and referrals to other community agencies. Must be referred by parole officer.*

Volunteers of America
Contact: Jackie Smith
2877 Lawrence St.
Denver, CO 80206
(303) 295-2165
Services Available: *Contact for resource list for people released from prison or jail. Referrals for employment, bus tokens, clothing, mental health, drug and alcohol therapy, etc. for people recently released from prison or jail.*

Glossary

Adjudication
This is the name of the hearing in a Dependency & Neglect (D&N) case where the parents have to decide if they will admit or deny the petition filed by the County Attorney and Social Services. If they admit the petition, or if after a trial the court finds that the petition is true, then the court has the power to make you follow a family services plan.

Advisement Hearing
This is the name of a hearing in a Dependency & Neglect case where the court advises you of your rights.

Alimony
This is now called "maintenance" in Colorado and refers to the amount of money one divorced spouse has to pay the other divorced spouse.

Allocation of Parental Responsibility
This used to be called "custody." It means the same thing as custody; it just has a different name now. It is usually used in legal documents to refer to which parent has the children living with them, what the responsibilities of each parent is, visitation guidelines, etc.

Arbitration
This is a meeting the parties agree to participate in where a judge or another person will listen to the parties' arguments and make a decision about what should happen.

Colorado Child Support Enforcement (CSE) Units
These are the agencies responsible for making sure that child support gets paid. Each county has an office. You can find the phone numbers and office locations on page 71.

Colorado Works
This is the financial assistance program that used to be called "TANF" (Temporary Aid to Needy Families).

Confidential Intermediary
This is a person who is authorized by the court to inspect confidential relinquishment and adoption records at the request of an adult who was adopted, the adoptive parent of a child, the biological parent, or a biological sibling.

Court Appointed Special Advocate (CASA)
This is a volunteer, appointed by the court in a Dependency & Neglect (D&N) case to look out for the best interests of your children. The CASA will do an investigation, visit with your children, and in some counties, the CASA writes a report to the court making recommendations in the best interests of your children.

Custody
This refers to whomever actually has the child in their care. Sometimes physical custody can be with one person but legal custody can be with another person. For instance, sometimes a child can live with an aunt, but Social Services has legal custody to decide what happens to the child in the future.

Custody Evaluation
This is usually done in a divorce case and is a report done by someone who has experience working with children and families. An evaluator will interview each parent and observe how each parent relates to their children. The evaluator will write a report to the court about what they think is best for the children.

Disposition
This is in a Dependency & Neglect case when the court orders treatment or other interventions for the family. The court may order you to go to therapy, be tested regularly for drugs, participate in anger management classes, etc. The court usually looks at the family services plan when deciding what the disposition should be.

Expedited Permanency Planning (EPP)
This is a law in Colorado that requires any family having a child who is 6 years old or younger and involved in a D&N case to be on a "fast-track" for resolving the case. "EPP" includes families who also have older children, as long as at least one child is 6 years old or younger. Children of families who meet the "EPP" criteria are required to be in a permanent home within one year from the date they were removed from home.

Family Court Facilitator
This is a person who works for the court. This person is able to help answer questions you may have about your case. This person will often help the parties by getting them together for a meeting to discuss what should happen in your children's case. There is a list of court facilitators on page 65.

Family Services Plan
This is the plan that you and your caseworker should work on together to make sure that your families' needs are being met. In some counties, this is also called a "treatment plan." This plan may list the things that Social Services wants you to do before Social Services will consider if the children can live with you.

Guardian ad Litem (GAL)
A GAL is an attorney who is appointed by the court to represent your children's best interests in a dependency and neglect case. They will attend all the hearings regarding your children and will report to the court about how your children are doing, if you are following your family services plan, and where they think your children's permanent home should be.

Impute
This is when the court "assumes" that something is true.

Indian Child Welfare Act (ICWA)
This is a federal law that applies if your children are a member of a Native American tribe. The tribe your children belongs to has a right to be involved in your children's case, and can help decide where your children should live.

Intervene
This is a legal word that means someone who was not originally a party in a case has filed the paperwork to "join" the case.

Judge
The judge is an officer of the court who makes findings and rulings in cases including what is best for your child.

Jurisdiction
This means that the court has the authority to require you to follow its orders.

Legal Guardianship
A legal relationship between children and an adult that is set up in Probate Court or District Court. It gives legal custody of your children to the Guardian.

Legal Standing
This means that someone involved in your children's life has a "right" to do something. For instance, in Colorado, anyone who has had physical custody of your children and has served in a parental role for six months in a row, has legal standing to file for custody of your children.

Legally Separated
This means that you have filed a paper with a court to declare that you and your spouse are no longer living together. After this happens, the assets in your marriage can be divided.

Magistrate
A magistrate is like a judge in most ways. The only thing a magistrate cannot do that a judge can do is hear jury trials. Also, a magistrate's decision can be appealed to a judge.

Maintenance
This used to be called alimony (see definition under "alimony").

Marital Property
This refers to the property you and your spouse acquired while the two of you were married.

Mediation
This is a special type of meeting where the parties meet with a neutral person to try and work out a settlement in a case.

Motion
This is a document that an attorney or someone representing themselves files when he or she is asking the court for something (for example: Motion to Modify child support.

Parenting Time
This refers to the time each party is allowed to spend with their children, including visitation, holidays, birthdays, etc.

Paternity
This is a word that means you are the children's father.

Permanency Plan
This is a plan in a Dependency & Neglect case that says what the permanent home of the children should be. Sometimes the permanency plan may be reunification, sometimes it may be termination of parental rights and adoption.

Social Services/Human Services
This is a government agency whose job it is to make sure children are in safe, permanent homes. It is their job to provide you with the services needed to reunify with your children if that is appropriate. Caseworkers are the people you will interact with from Social Services who will know the most about your case.

Power of Attorney
This lets another person (who is not the parent of your children) take care of your children, enroll them in school, get state assistance and authorized medical care. It is a temporary custody arrangement that you can give without going to court.

Restitution
This is the money the court says you owe to other people (court, a victim witness fund, to the victim, or to another agency) because of a crime you committed.

Reunification
This means that your children are allowed to live with the parent they were originally removed from.

Review and Adjustment
This is what you ask for if you cannot pay your children support. You have to write to the county children support enforcement unit handling your case or to the court that ordered the children support to request this change.

Revoke
This means to take something back. For instance, if you have drawn up a Power of Attorney form and then get out of prison, you may want to revoke that Power of Attorney by writing another form which cancels the Power of Attorney and returns custody to you.

Special Advocate
This is a person appointed by the court in a divorce case who has a special job of helping the court answer some specific questions. The Special Advocate may interview the parents and research records to determine the best placement for the children. They usually write a report to the court about their investigation. They do not have to be an attorney.

Status Conference
In a Dependency and Neglect case, this refers to a meeting between the parties to talk about the progress of the case, any problems and to make sure that everyone in the case is following the court's orders.

Temporary Aid to Needy Families (TANF)
In Colorado this program is called "Colorado Works," and if your children are found to be eligible for TANF, then they will also probably qualify for Medicaid.

Visitation
This is also called "parenting time" and refers to how often you will get to see your children.

Waive
When you waive something, it means that you agree not to exercise your right to something. For instance, if you waive your right to a formal advisement, then the court does not have to give you an advisement of your rights on the record.

Writ
This is when the court orders that you be transported to a court hearing.

Event Log

Keeping a Record of Events

If you are involved in a court case involving your children, it is very important that you keep a written record of what is going on in the case, what actions you have taken with regard to the case, and what contact you have had with your children, the Social Worker, the Guardian ad Litem, the judge, or other parties involved in the case. It is also important for you to document any programs that you have successfully completed while in prison for example, Parenting From Prison, Drug or Alcohol Treatment, GED, etc. Keep copies of any certificates you receive so that you can give copies of them to the judge, Social Worker and Guardian ad Litem, if necessary.

The following is a sample of a written record. You can use this as a model or change it as you want. The important thing is to keep a detailed written record.

Date
Use this column to write the date of any contacts you have with your children, social workers, attorneys or anyone else who may be involved with your children. Also write the dates of any letters you write or receive, motions, court orders, notices or other events related to your children's or your case.

Event
Name the event that happened on a given date. For example, write words like "sent letter," "had a visit with my children," "received a court order," "received a notice," "filed a motion," etc., to identify events that may protect your parental rights.

Description
Write a brief description of what the action was about. For example write, "sent a letter to my daughter explaining why I can't be with her right now", or "sent motion to modify child support to clerk of District Court."

Who is Involved
Use this column to identify persons involved with the event. For example, write "Social Worker (name) and GAL (Name)."

Date	Event	Description	Who is Involved
4/9/2001	***Received notice of Shelter Hearing***	***Shelter hearing set for 4/11/01 10:00am. I've requested*** transportation to a hearing.	***Sandy Smith (DHS) Magistrate Jones*** County Attorney Doe
4/12/2001	Wrote Letter	Wrote to my daughter and son to ask them to try to arrange a visit with me.	Ron and Laurie
4/20/2001	Received notice of Advisement Hearing	Hearing set for 4/30/2001 2:30pm at District Court.	Sandy Smith (DHS) Mr. Doe, Magistrate Jones, Ms. Roberts (GAL)
5/5/2001	Visit from Kids	Ron and Laurie came for a visit today. We played some games, Read a story and caught-up on what they were doing.	Ron and Laurie and Ms. Owen (DHS case aide)

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Boulder, Colorado

Evaluation of Guidebook

Using the scale below, please indicate your response to the following statements:

Strongly Disagree	Disagree	Neutral	Agree	Strongly Agree
1	2	3	4	5

Guide 1. Parenting from Prison

1.1 The effects of incarceration on children were clearly explained _____

1.2 The developmental needs of children were understandable _____

1.3 Meaningful ways of staying connected to my child were helpful _____

1.4 Information on helping my child's adjustment was relevant _____

Guide 2. Making Custody Arrangements

2.1 Custody options were clearly explained _____

2.2 Information on how to make custody arrangements was helpful _____

Guide 3. Getting Financial Help

3.1 Possible sources of financial help with my children were clearly outlined _____

3.2 Information about income, food, and health resources was helpful _____

Guide 4. Responding to Dependency & Neglect Cases

4.1 Steps in the D&N court process were clearly explained _____

4.2 Information on the rights and responsibilities of parents was helpful _____

Guide 5. Considering Paternity

5.1 Information on paternity cases was helpful _____

5.2 The importance of establishing paternity was clearly explained _____

Guide 6. Paying Child Support

6.1 Information on child support obligations was understandable _____

6.2 Steps to take regarding my child support obligations were clearly explained _____

PLEASE RETURN BY MAIL TO: RMPJC/Prisoners Rights Project
PO Box 1156
Boulder, Colorado 80306
Additional Comments: _____

_____

_____

_____

_____

_____

_____

Answers to These Questions and More:

How does being in prison change how I parent?
How are my children affected by my incarceration?
What can I do to help my children adjust during my incarceration?
What is a Power of Attorney?
What is a Legal Guardianship?
What is Allocation of Parental Responsibilities?
What if I want to get divorced or am served with divorce papers while I'm in prison?
Why would I choose to place my children for adoption?
What is TANF?
What are food stamps?
What is Medicaid?
What is a Dependency & Neglect case?
Who are the people involved in a Dependency & Neglect case?
Why is it important to be actively involved in a Dependency & Neglect case?
Does my incarceration mean my parental rights will be terminated?
Who can file a Paternity case?
Why would I file a Paternity case?
What happens in a Paternity case?
Do I have to pay child support while I am in prison?
Is it possible to have my child support payments lowered while I am in prison?
How do I lower my child support payments while I am in prison?
Can money be taken from my prison account to pay for child support and/or restitution?