

Please remember that the following list of definitions is being provided for informational purposes only and is NOT legal advice or an endorsement of any single programs services. The only way to get legal advice is to speak with a licensed attorney.

Family Law

Family law is an area of the law that deals with family matters and domestic relations, including marriages, divorces, and child custody.

Allocation of Parental Responsibilities:

This is commonly called “APR.” An APR order defines what you might traditionally think of as custody and visitation of a child. This includes defining parenting time and decision-making authority.

Adoption

When you adopt a child, he or she legally becomes your “child.” This means that you now have all the rights and obligations that a parent would have with respect to the child. There are a number of legal requirements that must be met in order for a child to be adopted. For more information, see <https://www.courts.state.co.us/Index.cfm>.

Dependency and Neglect

“Dependency and neglect” is a type of court proceeding where the state intervenes on behalf of a child who is abused, neglected, or otherwise lacks proper parental care. In some cases a dependency and neglect proceeding will result in the termination of parental rights, legally ending the parent-child relationship, but that is not always the outcome.

Termination of parental rights

In certain situations the court can divest a parent of all rights with respect to his or her child. In order to do that, the judge would issue an order terminating parental rights.

Probate Court

The probate court handles matters of wills and trusts as well as protective proceedings. Protective proceedings are Guardianships and Conservatorships

Guardianship.

Guardianship is a process by which the court appoints an individual to make decisions on behalf of an individual who does not have the capacity to make decisions for themselves. This process requires the court to make a determination that the person who would have a guardian needs one because they do not have capacity (this could be because of age, a medical diagnosis, or other reasons.). A Guardianship process does not terminate parental rights. For more information about the court process to obtain a guardianship, see <https://www.courts.state.co.us/Index.cfm>.

Intervenor

An “intervenor” is a person who joins court proceedings after the proceedings have already been initiated. If the court allows intervention, an intervenor can actively participate in the proceedings.

Mandatory Reporter

In Colorado, people of certain professions are required to report suspicions of child abuse or neglect. For example, a doctor or social worker in Colorado who suspects child abuse or neglect is required to report that to the relevant authorities. This is called “mandatory reporting.”

Guardian ad litem

A “GAL” is a third party (someone who is unrelated to the parties in a case) who is appointed to represent the best interests of someone in the case. In a case that involves children, a GAL might be appointed to represent the best interests of a child. The GAL does not act as an attorney but does make recommendations to the court.

Petitioner and Respondent

A “petitioner” is the person who files a petition with the court. A “respondent” is the person against whom a petition is filed, or the person who responds. There can sometimes be more than one petitioner or more than one respondent.

Special respondent

A “special respondent” is a certain type of respondent in a dependency and neglect proceeding.

Remember, a dependency and neglect proceeding is when the court intervenes to protect a child who is allegedly abused or neglected. Sometimes, a person who is not the child’s parent can be named as a respondent. This is called a “special respondent.”

Motion

In general, a “motion” is a written request asking the court to take some course of action.

Other Resources: For more detailed information about the court processes, see the court website appropriate to your county. The Larimer County Court Website is <https://www.courts.state.co.us/Index.cfm>.

Senior Law Handbook: The Colorado Bar Association publishes the Senior Law Handbook to their website each year. The Senior Law Handbook holds basic information about a number of topics that may be helpful to you. To view the Senior Law Handbook, visit <http://www.cobar.org/index.cfm/ID/20004/DPWFP/For-the-Public/>