|  |  |
| --- | --- |
| DISTRICT COURT  JEFFERSON COUNTY, COLORADO  100 Jefferson County Parkway  Golden, Colorado 80401    **PEOPLE OF THE STATE OF COLORADO**  **In the Interest of:**    **CHILD:**  **PETITIONER:**  **JEFFERSON COUNTY DIVISION OF CHILDREN, YOUTH AND FAMILIES**    **And Concerning:**    **RESPONDENTS:**  **\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_**  **Guardian ad Litem for the child:**  **Diana M. Richett**  **13921 West Warren Drive**  **Lakewood, Colorado 80228**  **Phone: 303-989-6295**  **Fax: 303-989-6295**  **Atty.Reg. #11849** | **COURT USE ONLY** |
| Case Number:        Division: **10 (Rm. 4C)** |
| **MOTION TO AMEND PETITION IN DEPENDENCY AND NEGLECT** | |

Pursuant to C.R.C.P. 15, §19-3-505(4)(b), and the Adjudicatory Trial Procedure Order, the Guardian requests to amend the petition in dependency and neglect and states as follows:

1. On October 25, 2017, at a hearing on the child’s delinquency

petition, case number 17JD, Magistrate Carrithers ordered the filing of a dependency and neglect petition.

1. Petitioner filed a petition which did not include a paragraph three

stating the grounds as to why the child was dependent or neglected nor providing an adequate statement of facts in paragraph four which bring the child within the court’s jurisdiction regarding both parents and set forth the protective concerns.

1. On January 16, 2018, Petitioner requested to dismiss the petition

while the Guardian ad Litem for the child objected. The Guardian believes there are protective concerns and that it is in the best interests of the child to proceed to an adjudication on the matter. The Guardian stated at the hearing that she would need to file an amended petition.

1. The Guardian intends to present evidence at trial as set forth in the

attached amended petition and believes notice of the issues should be provided in advance of trial in fairness to the parties.

1. The Guardian is requesting to amend the petition to add a paragraph

3 stating the grounds as to why the child is dependent and neglected and to supplement paragraph 4 to state the facts which bring the child within the Court’s jurisdiction regarding both parents and adequately state the protective concerns.

1. The best interests of the child and justice require amendment of the

petition to adequately and substantially reflect the protective concerns regarding the child, the merits of which should be determined through an adjudicatory trial.

*/s/ Diana M. Richett*

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

DIANA M. RICHETT #11849

Attorney at law

13921 West Warren Drive

Lakewood, Colorado 80228

(303) 989-6295 Dated: 2/13/2018

----------------------------------------------------------------------------------------------------------CERTIFICATE OF SERVICE

---------------------------------------------------------------------------------------------------------

I certify that on February 14, 2018, a copy of the Motion to Amend the Petition and the First Amended Verified Petition was mailed to:

*/s/ D.M. Richett*

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