



## **Colorado Civil Union Act Tips for Couples**

After several years of tirelessly advocating for our families, The Colorado Civil Union Act (SB-11) is law. Same-sex couples across the state now have access to the critical legal protections they need to take care of their families.

The team at One Colorado has pulled together these tips and guidelines for couples who would like to get a civil union. If you encounter any obstacles when applying for a civil union or if you need more information about civil unions, please contact us at our office: 303-396-6170.

### **About Civil Unions**

The Colorado Civil Union Act makes a civil union available to both same-sex and different-sex couples. Civil unions will provide to a couple the legal benefits, protections, and responsibilities that are granted to married spouses, including:

- Responsibility for financial support of a partner
- Responsibility for decisions relating to medical care and treatment
- Responsibility as priority conservator, guardian, or personal representative for a partner
- The ability to inherit real and personal property from a partner
- The ability to protect exempt property from attachment, execution, or garnishment
- The ability to designate a partner as a beneficiary to retirement
- The ability to adopt a child of a partner
- The ability to insure a partner
- Hospital visitation
- Eligibility for family leave benefits
- Survivor benefits under workers compensation laws and local government pensions

Civil unions also provide for the dissolution, legal separation, and declaration of invalidity of a civil union.

### **Applying for a Civil Union**

The Colorado Civil Union Act will take effect on May 1, 2013, and couples will be able to apply for a civil union license beginning that day. To apply, follow these steps:

- Make sure you meet all the requirements to apply for a civil union:
  - Applicants must be 18 years of age. Anyone 18 years of age or over who has a legal guardian must have written consent from that guardian. Written consent must be presented at the time of application.
  - Applicants must not be married or in a civil union with someone other than the person with whom they are applying.
  - The applicants must not be related as siblings, uncle and niece, uncle and nephew, aunt and niece, or aunt and nephew.
- If you have been previously married or in a civil union and are widowed or divorced, you must provide:

- if you are widowed: the exact date (day, month, and year) of your partner's death.
  - if you are divorced: the exact date (day, month, and year) of your divorce, the location (city and state) of your divorce, the type (district, superior, circuit, etc.) of court in which your divorce proceeding occurred, and you must also provide the name of the previous spouse or partner.
  - if your divorce is within 30 days preceding the date you apply for a civil union license you must provide a certified copy of your divorce decree.
- Gather up all the information you need to apply:
    - One of these valid forms of identification: U.S. driver's license or permit, U.S. state-issued ID, U.S. military ID, or Passport (with certified English-language translation if non-English). You may NOT present a birth certificate, a baptismal certificate, or a Mexican Consular ID.
    - Social Security Number: If you have a social security number, you are required to provide it. If either party doesn't have a social security number, they are not required to have one to enter into a civil union.
    - The place of birth (city and state) of each of your parents. No documentation is required, just a verbal response.
    - A check or cash to pay the \$30 fee. Credit cards are not accepted. Certified copies of civil union licenses are available upon request for \$1.25 each.

Please note that your form of ID must be currently valid. No expired ID will be accepted.

- Both applicants should visit the office of your County Clerk & Recorder with the above-referenced information in hand. If one party is unable to appear in person, the absent party must complete an absentee application, which must be notarized. The party appearing in person must present on the behalf of the absent intended partner: the completed and notarized absentee application and a clear and legible photocopy of one of the above-referenced forms of identification.
- After applying, if everything is in order, you will be issued a civil union license, which may be used immediately upon issuance anywhere within Colorado -- but is valid only for 35 days after issuance.
- Get your civil union certified by a judge of a court, a retired judge, a court magistrate, a public official whose powers include certification of civil unions, a Native-American tribe official, or clergy. The certifying official will complete your civil union certificate, attesting that your civil union certification has been performed lawfully.
- Return your civil union license and your completed civil union certificate to your County Clerk & Recorder within 63 days for recording. Do not separate the certificate from the license. Recording enters your civil union into our records for future reference, and the original form will be returned to you at the return address you provided in your application.

**If...**

- If you have all the required information, but you are still denied the opportunity to apply for a civil union license, please contact One Colorado at 303-396-6170.
- If you are approached by the media to talk about your civil union, please know that you can decline to do so and send them to One Colorado (303-396-6170), where we will connect them with spokespeople.