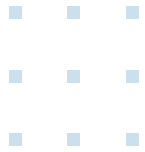




Guide to Completing an ERPO Petition



Use this checklist to guide you through the essential steps of preparing, filing, and following up on an extreme risk protection order (ERPO) petition.



1



Communicate with key staff and gather initial documentation.

- Notify the right stakeholders.**
 - ➔ School administrators and the threat assessment team, if available
- Record observations and incidents.**
 - ➔ Document specific statements, behaviors, known access to firearms, or incidents that suggest a significant risk.
 - ➔ Include dates, times, and locations for each observed behavior.
 - ➔ Use factual language (e.g., "The student said, 'I don't think anyone would care if I disappeared,' on [Date] in the library").
- Gather statements from colleagues or witnesses.**
 - ➔ Collect statements from other educators, staff, or students who have observed concerning behavior.
 - ➔ If possible, obtain signed affidavits detailing what each witness observed.
- Contact a threat assessment team.**
 - ➔ Discuss your findings with the threat assessment team.
 - ➔ Involve a designated school administrator, if available, to assist with documentation and organizing evidence.

Refer to the [Essentials of School Threat Assessment document](#).

- ➔ The Colorado Threat Assessment & Management Protocol (CTAMP) provides guidance to threat assessment teams on gathering and documenting early warning signs of risk.
- ➔ Use this resource during the documentation phase to ensure that all observations are relevant and organized.



Note: Safe2Tell reports may aid school staff in understanding and assessing risk. However, Safe2Tell reports (or summaries of Safe2Tell reports) cannot be submitted as evidence in ERPO court proceedings.

2



Engage law enforcement early.

Collaborate with law enforcement to access additional resources, expertise, and support.

Contact local law enforcement.

- ➔ Share your documented concerns with law enforcement and explain why an ERPO may be necessary.
- ➔ Provide evidence of firearm access or threats to self or others, as law enforcement may use this to evaluate additional risk.

Discuss options and next steps.

- ➔ Law enforcement may be best positioned to file the petition ultimately but may first pursue other strategies, such as enforcement of safe storage laws.
- ➔ If law enforcement declines to petition for an ERPO, the threat assessment team or administration can still file on behalf of the school, or the educator can apply personally.

3



Complete the temporary ERPO petition forms.

Complete the following forms:

1. [Temporary ERPO petition \(JDF 573\)](#)
2. [Extreme Risk Protection Order Information Sheet \(JDF 577\)](#)

For additional guidance, the Colorado judicial department provides the following:

- ➔ [JDF 572: Step-by-step instructions for petitioning for an ERPO](#) to ensure proper documentation and adherence to the filing process

Use the checklist to ensure that each form is complete, thorough, and accurate.

Temporary ERPO Petition (JDF 573)

Caption

Include the following:

- ➔ The court name, address, and county where you are filing the petition. Fill in the county court where the respondent lives and the respondent's name and date of birth.
- ➔ Petitioner's name and address. If safety is a concern, you can request to omit your address later in the form.
- ➔ If you have an attorney, provide their information.

Petitioner's Information

- ➔ Identify your relationship with the respondent.
- ➔ Consider if it makes sense to have your school or district act as the petitioner. In that case, list its contact information. Law enforcement might also be the most appropriate petitioner.

Grounds for Issuing a Temporary ERPO

Select and explain your reasons for requesting a temporary ERPO (TERPO). Identify all applicable reasons, such as the following:

- ➔ **Significant risks:** Provide specific behaviors or situations that indicate that someone poses a meaningful risk of harm to themselves or others.
- ➔ **Patterns of concerning behavior:** Explain any recurring threats or aggressive actions within the past year.
- ➔ **Threatening statements:** Detail any threats of harm to themselves or others, including those involving firearms.

Attach supporting documentation for your claims:

1. Affidavits
2. Arrest records
3. Screenshots of social media posts

Label them as "Attachment A," "Attachment B," and so forth. Reference them in the form as "See 'Attachment A' for additional details" and organize them chronologically.

Firearms Access and Ammunition Details

Include any known details about the respondent's access to firearms or ammunition.

- ➔ Where a firearm is stored
- ➔ The number of firearms you believe they have access to
- ➔ How the respondent might access firearms or ammunition
- ➔ Their intention to purchase firearms or ammunition
- ➔ Evidence of past incidents involving unsafe firearm storage or possession
- ➔ Example: "The student mentioned that a firearm is kept in an unlocked cabinet at their home, making it easily accessible."

Protection Orders, Pending Lawsuits, and Law Enforcement Notifications (If Applicable)

- ➔ List the court and case number of any existing protection orders.
- ➔ Record any current legal actions involving the respondent.
- ➔ If law enforcement has been informed about the respondent's risk behaviors, list those agencies.

Confidentiality Request for Address (If Applicable)

- ➔ Request to have your address kept confidential if including it could pose a risk to your safety.
- ➔ You can enter an alternate address for court notifications if confidentiality is requested.

Verification and Signature

- ➔ Declare that all information provided is accurate to the best of your knowledge and must be signed under penalty of perjury.
- ➔ Record the date, location, and your printed name and signature.
- ➔ Note: You cannot virtually sign your petition. You will need to sign by hand.

Extreme Risk Protection Order Information Sheet (JDF 577)

This form is used to provide law enforcement the information they will need to serve the TERPO if it is granted.

- List your name and information. If confidentiality is a concern, you may choose to omit your address.

- Provide information about the respondent, including their name, the law enforcement agency where they live, their physical description, and their home address.

4



File the forms and attend the initial hearing.

- Submit the TERPO petition and the ERPO information sheet.**
 - ➔ File the completed forms with the county or district court where the respondent lives. Ensure that all evidence and required documents are included.
- Attend the initial hearing.**
 - ➔ The petitioner must attend the hearing. Additional witnesses who can share additional perspective and concerns should attend when possible.
 - ➔ If the petition was filed on your behalf by the threat assessment team or an administrator, they should also attend the hearing.
 - ➔ The respondent will not be notified of this hearing and will not be in attendance.

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Attend the follow-up hearing (if applicable).

If the initial TERPO is granted, an ERPO hearing will be scheduled within 14 days to assess if a 364-day ERPO should be granted.

- Submit additional affidavits or evidence to the court.**
 - ➔ Provide any updates, further evidence, or additional affidavits to the court either prior to the hearing or on the day of the hearing.
- Attend the hearing.**
 - ➔ Be prepared to provide information to the court about why you believe an ERPO should be granted for 364 days. This information should be consistent with the significant risks that justified the need for a TERPO.

- ➔ Ensure that whoever filed the initial petition, such as a threat assessment team member or an administrator, attends the hearing. Bring additional potential witnesses to the hearing who should be prepared to share their concerns and evidence with the judge.
- ➔ The respondent will be present at the hearing and will be provided a lawyer if they cannot afford one.

6



Request an ERPO renewal (if applicable).

The petitioner may request a renewal of the ERPO before its expiration if the risk persists.

- Submit [JDF 587—Motion to Renew an Extreme Risk Protection Order](#).
 - ➔ Provide evidence that the initial concerns remain valid.
 - ➔ Submit at least 63 days before the ERPO expires to allow sufficient time for the court review process.

7



Terminate the ERPO (if applicable).

- Submit [JDF 591—Notice of Hearing on Motion to Terminate ERPO](#).
 - ➔ If circumstances change or the petitioner no longer believes the ERPO is necessary, the JDF 591 form requests a hearing to terminate the order.
 - ➔ The respondent may also seek to terminate the ERPO using the same form.



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