


<u>ADMINISTRATIVE REGULATION</u>  COLORADO DEPARTMENT OF CORRECTIONS	REGULATION NUMBER 800-06	PAGE NUMBER 1 OF 3
	CHAPTER: Offender Pastoral Care	
	SUBJECT: Offender Proxy Marriages	
RELATED STANDARDS: ACA Standards NONE	EFFECTIVE DATE: October 15, 2000	
	SUPERSESION: 11/01/99	
	John W. Suthers Executive Director	
OPR: DPO		

I. POLICY

It is the policy of the Department of Corrections (DOC) to permit offender proxy marriages when they do not inhibit habilitation and successful reintegration into the community.

II. PURPOSE

The purpose of this Administrative Regulation is to establish guidelines and procedures for offender proxy marriages.

III. DEFINITIONS

- A. Marriage License Application: A notarized document which enables the offender and the intended spouse to secure a marriage license. The offender and the intended spouse are responsible for the acquisition of the license and any fees associated with it.
- B. Proxy Application: A notarized document authorizing a third party to represent an offender at a proxy wedding.
- C. Proxy Marriage: A wedding ceremony at which a legally designated third party represents an offender outside a DOC facility.

IV. PROCEDURES

- A. Offender Eligibility for a Proxy Marriage: An offender may request a proxy marriage if all the following criteria is met:
 - 1. The offender and intended spouse are legally eligible to be married;

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2. The intended spouse is not currently incarcerated, on active parole, or presently barred from entering a DOC facility.

B. Steps to Effect a Proxy Marriage:

1. The Offender shall:

- a. Obtain a “ Request for a Proxy Marriage,” DC form 800-06A (Attachment “A”) from the offender’s case manager or Chaplain;
- b. Submit DC form 800-06A and the Marriage License Application to his/her case manager at least sixty (60) days prior to the proposed date of the proxy marriage;
- c. Submit to his/her case manager certified copies of the Decrees of Dissolution of all previous marriages;
- d. Have his/her intended spouse mail a letter to the facility Administrative Head to be received at least forty-five (45) days prior to the proposed marriage, clearly stating their reasons/intent for the proxy marriage;
- e. Be solely responsible for the completion of the marriage by proxy once the approval has been granted, all the paperwork completed, and the marriage license obtained.

2. The Case Manager shall:

- a. Make available to the offender a Request For a Proxy Marriage form (Attachment "A");
- b. Arrange for pre-marital instruction and counseling to the offender and intended spouse by the Chaplain, if requested;
- c. After receiving the Request For a Proxy Marriage form, determine by a review of the offender's file and/or other appropriate documentation whether all the criteria for a proxy marriage have been met;
- d. Complete Parts A and B of the Request For a Proxy Marriage, and submit it to the Administrative Head;
- e. Return the Marriage License Application to the offender after the Administrative Head has acted upon the Request for a Proxy Marriage form and, if requested, instruct the offender to mail the application to the intended spouse.

3. The Administrative Head:

- a. Shall complete DC Form 800-06A, (Attachment "A"), Part C, within ten (10) working days, and return it to the offender's case manager;
- b. May deny for any reason a request for a proxy marriage.

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C. Guidelines For Proxy Marriages:

1. Any proxy marriage which does not meet the criteria of this Administrative Regulation may not be acknowledged by DOC;
2. All procedures relevant to the proxy marriage are the responsibility of the offender and/or intended spouse;
3. The Administrative Head shall not provide transportation for an offender to secure a Marriage License Application;
4. Approval of a proxy marriage does not obligate the DOC to recognize nor declare that the offender and/or the intended spouse are legally eligible to marry;
5. There will be no marriage ceremonies within DOC facilities.

V. RESPONSIBILITY

- A. The Administrative Head shall approve or deny any request for a proxy marriage. Denials are appealable to the DOC Executive Director.
- B. The offender and the intended spouse are responsible for submitting all documents in a timely manner as required, and bearing all the expenses associated with the marriage.

VI. AUTHORITY

CRS 14-2-109(2). Solemnization and registration.

- ATTACHMENTS:
- A. DC Form 800-06A, Request For a Proxy Marriage
 - B. DC Form 100-01A, Administrative Regulation Implementation/Adjustments

COLORADO DEPARTMENT OF CORRECTIONS

REQUEST FOR A PROXY MARRIAGE

PART A: INFORMATION FROM OFFENDER

OFFENDER NAME: _____ DOC# _____

DATE: _____ FACILITY/CENTER: _____

NAME OF INTENDED SPOUSE: _____

STREET ADDRESS: _____

CITY: _____ STATE: _____ ZIP CODE: _____

DATE OF PROPOSED WEDDING: _____

COMPLETED PROXY FORM, MARRIAGE LICENSE APPLICATION RECEIVED BY CASE MANAGER:

CASE MANAGER'S SIGNATURE DATE

PART B: CASE MANAGER REVIEW

1. PENDING LITIGATION: _____

2. MARITAL STATUS OF OFFENDER: _____ INTENDED SPOUSE: _____

3. LETTER OF INTENT RECEIVED FROM INTENDED SPOUSE: () YES () NO

4. DECREES OF DISSOLUTION, IF APPLICABLE: () YES () NO

CASE MANAGER SIGNATURE: _____ DATE: _____

PART C: ADMINISTRATIVE HEAD'S AUTHORIZATION

COMMENTS/RECOMMENDATIONS: _____

() APPROVED () DENIED

ADMINISTRATIVE HEAD'S SIGNATURE _____ DATE: _____

