

SMALL CLAIMS

PUEBLO COMBINED COURT SELF HELP CENTER

General Information

ACTION OR PLEADING(S)	JDF #	ADDITIONAL INFORMATION
Maximum dollar amount allowed in Small Claims.		\$7500.00 If the claim amount exceeds \$7500.00 the balance can be waived.
A person cannot file more than two claims in a county during a month or 18 claims per calendar year.		
Obtain a Small Claims packet from the Clerk of Court's Office or download from the Colorado State Court website.		Packet price: No Charge www.courts.state.co.us ➡ Self Help/Forms ➡ All Court Forms & Instructions ➡ Small Claims
Filing fees and Small Claims Court money limits.		Claim Up to \$500 - \$31.00 non-refundable filing fee. Claims \$500.01 to \$7500.00 - \$55.00 non-refundable filing fee.

STEP 1: Complete Initial Forms

ACTION OR PLEADING(S)	JDF #	ADDITIONAL INFORMATION
Notice, Claim & Summons to Appear for Trial	250 ➔	If the Notice, Claim & Summons to Appear for Trial is downloaded from the Judicial website, be sure to complete and sign all four parts of the form. Complete the caption which is the section at the top of each page. Include: County (the county where you are filing the case), Court Address , Plaintiff information (you) and Defendant information (other party). 1. If the defendant is a business, go on-line at www.sos.state.co.us to determine the registered agent for service of this notice. Enter the name of the Registered Agent in the first section of the form. (This section is located directly above questions 1-4). 2. Answer questions 1-4. If you answered NO on question #2, Pueblo County may not be the proper venue (county) for this case. 3. Complete the Plaintiff(s) Claim. You must include a dollar amount and a reason why you are filing the claim. (Located under the Notice and Summons to Appear for Trial box.) 4. Date and sign every page of the document. 5. The box titled Notice and Summons to Appear for Trial is for the Clerk to complete .
Do not attach exhibits or paperwork to the JDF250 form.		Bring your exhibits on your scheduled trial date.
If the Defendant is a governmental agency, you may be required to file a written notice with the Attorney General or other government representative, prior to filing your case with the court. Pursuant to §24-10-109, C.R.S.		If the claim is against the state or an employee of the state, the notice must be filed with the attorney general. If the claim is against any other public entity or an employee of that entity, the notice must be filed with the governing body of the public entity or the attorney representing the public entity. Notice must be done through mailing by registered or certified mail, return receipt requested, or upon personal service.

STEP 2: File with the Court

PLEADINGS/ACTIONS	JDF #	ADDITIONAL INFORMATION
Provide the court with the Notice, Claim & Summons to Appear for Trial and pay filing fee.	250	Bring all copies of the form to the Court.
Clerk will assign a case number to your filing.		Example: 2018S5000
Clerk will issue (provide the date and time for trial, sign, and date) the Notice and Summons to Appear for Trial.		1. This date is your actual trial date. This is the only date and time you will have to present your case to the Court. 2. Bring any witnesses and exhibits you require on the scheduled hearing date.

February 12, 2018 standard instructions are for informational purposes only and do not constitute legal advice about your case. There may be exceptions to the information provided on this form.

STEP 3: Serving the Defendant

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Serve the Defendant's copy of the Notice, Claim & Summons to Appear. A separate copy of the Defendant's copy must be served on <u>each Defendant</u>.	250	<ol style="list-style-type: none"> If using the Word or PDF Version, this will be part 2, pages 2 and 3. If using the four part carbon form, you will serve the second page (yellow copy) to the Defendant. If there is more than one defendant, make a copy of the front and back of the Defendant's copy for each Defendant.
There are two options available for service. You will need to choose one of them.		<ol style="list-style-type: none"> Personal Service: Personal Service must be done by the Sheriff's Department, a private process server, or by someone over the age of 18 who is not a party in this case and knows the rules of service. Certified Mail by the Clerk of Court: only the Clerk of the Court can do this. This cost varies from \$5.00 to \$15.00.
If the Defendant is a business, serve the registered agent of the business.		Find the registered agent of a business at: www.sos.state.co.us , select business section.
Service needs to be completed at least 15 days before the trial date.		If service is not completed, your case can be rescheduled or dismissed. You MUST file the Affidavit of Service with the Court before your scheduled trial date.

STEP 4: Preparing for Court Trial

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Highlight the key issues you would like to provide to the Court.		For example, dates, costs, value, violation of contract, and what occurred or took place.
Organize and label all exhibits.		<ol style="list-style-type: none"> Examples of exhibits are documents such as photographs, charts, and receipts. If using photographs, bring only what is necessary to prove your case. Label all exhibits. <ul style="list-style-type: none"> Plaintiff's exhibits are labeled with numbers (Exhibit 1, Exhibit 2,). Defendant's exhibits are labeled with letters (Exhibit A, Exhibit B). Make copies of all exhibits. <ul style="list-style-type: none"> One for the Defendant(s); One for the Court; One for you.
Determine if you need any witnesses.		<ol style="list-style-type: none"> You can ask the witness to appear voluntarily or you may request the Court to issue a subpoena to each witness. The witness must be served the subpoena along with the correct mileage fee. Bring any witnesses with you to Court.
Subpoena (to appear)	254	A document issued by the clerk at the request of one of the parties to require the appearance of a witness at the trial. See Steps for Issuing a Subpoena located on the last page of this instruction packet.
Subpoena to Produce (Subpoena Duces Tecum)	254	A document issued by the clerk at the request of one of the parties to require the witness to bring certain documents or evidence in their possession to the trial. See Steps for Issuing a Subpoena located on the last page of this instruction packet.