

INSTRUCTIONS FOR FILING A FOREIGN JUDGMENT

These standard instructions are for informational purposes only and do not constitute legal advice about your case. If you choose to represent yourself, you are bound by the same rules and procedures as an attorney.

GENERAL INFORMATION

- ◆ This information provides a guide to the process and forms necessary to file a foreign judgment in Colorado.
- ◆ The documents must be filed in the county who would have had jurisdiction over the action if it was originally filed in Colorado.
- ◆ Once a foreign judgment is filed, it will have the same effect and is subject to the same procedures, defenses, and proceedings for reopening, vacating, enforcing, satisfying, or staying as a judgment entered in Colorado.
- ◆ The filing party must provide the court with an exemplified/authenticated copy of the judgment.
- ◆ No execution or other process for enforcement of a foreign judgment shall issue until ten days after the date the judgment is filed.
- ◆ For additional information, please review §13-53-102 - §13-53-107, of the Colorado Revised Statutes.
- ◆ If you have a disability and need a reasonable accommodation to access the courts, please contact your local ADA Coordinator. Contact information can be obtained from the following website:
http://www.courts.state.co.us/Administration/HR/ADA/Coordinator_List.cfm

COMMON TERMS

- ☒ Plaintiff(s): The person(s) or business identified in the original action.
- ☒ Defendant(s): The person(s) or business identified in the original action.
- ☒ Foreign Judgment: Any judgment, decree, or order of a court of the United States or of any other courts, except a protection order as described in §13-14-104, C.R.S. that is entitled to full faith and credit in Colorado.
- ☒ Exemplified Copy: Copy of a court document with court seals from the out-of-state Court verifying the authenticity of the document(s).
- ☒ Hearing Date: The date that the Plaintiff and Defendant must appear in Court.
- ☒ May: In legal terms, "may" is defined as "optional" or "can".
- ☒ Shall: In legal terms, "shall" is defined as "required".

If you do not understand this information, please contact an attorney.

FEES

A filing fee of \$201.00 is required. If you are unable to pay the filing fee, you must complete the Motion to File without Payment and Supporting Financial Affidavit (JDF 205) and submit to the Court. Once you submit the completed JDF 205 form and a blank Order (JDF 206), the Court will decide whether you need to pay the response fee.

Other fees that a party to the case may encounter are as follows:

- Copies of Documents (Documents on File) \$.75 per page or \$1.50 if double-sided
- Copies of Documents (Documents not on File) \$.25 per page or \$.50 if double-sided
- Service of Process Fees Varies (Payable to Process Server)
- Certification of Documents \$ 20.00
- Writ of Garnishment \$ 45.00
- Transcript of Judgment \$ 25.00
- Issuing and Docketing an Execution \$ 45.00

- Satisfaction of Judgment \$ 20.00

FORMS

To access a form online go to www.courts.state.co.us and click on the “Forms” tab. The packet/forms are available in PDF and WORD by selecting “District Civil – Foreign Judgment” or “County Civil – Foreign Judgment”.

- JDF 138 Judgment Creditor Affidavit in Support of Foreign Judgment
- JDF 139 Notice of Filing of Foreign Judgment

STEPS TO FILING YOUR CASE

Step 1: Obtain exemplified copies of all judgment orders in the case you wish to file in Colorado.

This includes all court orders and judgments issued by another Court. Keep a copy of all documents for your own records and make a copy to provide to the other party. An exemplified copy of a document/record may have a cover page with two or three court seals stating that the document/record is a true and correct copy.

Step 2: Complete Appropriate Forms.

You must identify yourself in the same manner that you are identified in the out-of-state case i.e. (Plaintiff or Defendant). It is important to remember that your role in the case does not change based on who files the foreign judgment. The caption illustrated below needs to be completed on all forms filed with the court. Check with your local district for additional filing requirements. **Keep a copy of each form for your own records and make a copy to provide to the other party.**

<input type="checkbox"/> County Court <input type="checkbox"/> District Court _____ County, Colorado Court Address: _____ Plaintiff(s): (print your name here) v. Defendant(s): (print name here)	▲ COURT USE ONLY ▲
Attorney or Party Without Attorney (Name and Address): (Print your name and address here if you are representing yourself.) Phone Number: E-mail: FAX Number: Atty. Reg. #:	Case Number: Division Courtroom
NAME OF FORM	

Judgment Creditor Affidavit in Support of Foreign Judgment (JDF 138)

- Please complete all sections of this form.
- Attach authenticated/certified copies of all judgment orders from the out-of-state originating court.

Notice of Filing of Foreign Judgment (JDF 139)

- Complete all sections of this form.
- The Judgment Creditor or Judgment Creditor’s Attorney can mail the notice to the Judgment Debtor or the Court Clerk Court will mail the Notice.
 - If the Court mails the Notice, make sure you provide extra copies of the Notice and Affidavit along with pre-addressed/stamped envelopes to send to the Judgment Debtor.

- If the Judgment Creditor or Judgment Creditor's Attorney mails the Notice, complete the Certificate of Mailing indicating to the Court when the mailing was completed.

Step 3: You are Ready to File your Case with the Court.

- Pay the filing fee of \$ 201.00
- The clerk shall mail notice of the filing foreign judgment to the Judgment Debtor at the address provided to the Court.

COURT REVIEW

The Court will review the documents. If an objection is filed, the Court may require a hearing to determine whether the judgment should be registered. Once a foreign judgment is entered, the Colorado Court has the ability to reopen, vacate, enforce, stay or satisfy the judgment.

Additional collection information entitled "Instructions for Collecting a Judgment and Completing a Writ of Garnishment" (JDF 82) is available on the state judicial website, www.courts.state.co.us. Select the "Forms" tab, then select County Civil or District Civil and then select Garnishments.