

Media Alert

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Claims for relief for specified dollar amounts in civil cases

The Colorado Rules of Civil Procedure (C.R.C.P.) outline the protocols for filing civil complaints in Colorado state trial courts. These rules prohibit plaintiffs from stating specific dollar amounts in their complaints.

The C.R.C.P. governs whether civil court pleadings can or must state a specific dollar amount when they are filed in state courts. Pursuant to C.R.C.P 8 (a) Claims for Relief, no dollar amount shall be stated in the prayer or demand for relief.

C.R.C.P 8 (a) specifically outlines the items that a claim contains: A claim for relief “[p]leading which sets forth a claim for a relief whether an original claim, counterclaim, cross-claim, or a third-party claim, shall contain: (1) If the court is of limited jurisdiction, a short and plain statement of the grounds upon which the court's jurisdiction depends; (2) a short and plain statement of the claim showing that the pleader is entitled to relief; and (3) a demand for judgment for the relief to which the pleader claims to be entitled. No dollar amount shall be stated in the prayer or demand for relief. Relief in the alternative or of several different types may be demanded.”

The rules cited above apply to district court cases, where the amount in controversy exceeds \$15,000. In county court, where the jurisdiction of the court extends to matters \$15,000 or less, the court uses a simplified procedure where the complaint may state either that the amount does not exceed the jurisdiction of the court or the specific amount of the claim.

If a finding of liability is determined by the court, the damages phase of the case then ensues. CRS §13-64-204. Special damages findings required.

(1) If liability is found in a trial under this part 2, the trier of fact, in addition to other appropriate findings, shall make separate findings for each claimant specifying the amount of:

(a) Any past damages for each of the following types:

- (I) Medical and other costs of health care;
 - (II) Other economic loss except loss of earnings;
 - (III) Loss of earnings; and
 - (IV) Noneconomic loss;
- (b) Any future damages and the period of time over which they will be paid, for each of the following types:
- (I) Medical and other costs of health care;
 - (II) Other economic loss except loss of future earnings which would be incurred for the life of the claimant or any lesser period;
 - (III) Loss of future earnings which would be incurred for the work life expectancy of the claimant or a lesser period; and
 - (IV) Noneconomic loss which would be incurred for the life of the claimant or any lesser period.
- (2) The calculation of all future damages under subparagraphs (I), (II), and (IV) of paragraph (b) of subsection (1) of this section shall reflect the costs and losses during the period of time, including life expectancy, if appropriate, that the claimant will sustain those costs and losses. The calculation of loss under subparagraph (III) of paragraph (b) of subsection (1) of this section shall be based on loss during the period of time the claimant would have earned income but for the injury upon which the claim is based.
- (3) The fact that payment of any judgment will be paid by periodic payments shall not be disclosed to a jury.