

Small Claims Parties Advisement

COVID-19 Remote Trial Instructions

PLEASE READ this document carefully and plan accordingly in the presentation of your case. **Court processes have been modified due to the Covid-19 virus. In-person hearings are not being conducted for the Small Claims Division.**

If you are a plaintiff you are being given this document when you file your case or with a notice of continuance. If you are a defendant you are receiving this document along with the summons and complaint or with a notice of continuance.

Your hearing will be held telephonically or via videoconference. **You will receive written instructions from the Division Clerk regarding how to appear telephonically or by video.** If you have technical questions about how to join the remote hearing, please contact the Division Clerk in advance of the hearing.

The Court schedules 45 minutes for your trial. Please be mindful of time as other parties are scheduled for trial as well. Please join the remote hearing ON TIME. If you are late, your case may be dismissed without prejudice (if you are a Plaintiff) or a default judgement may be entered against you (if you are a Defendant).

We ask that you have on file in advance of the hearing any exhibits you plan to introduce into evidence. You may file the exhibits into your case by mailing them to the Clerk of the Court at 270 S. Tejon, Colorado Springs, CO 80903 with your case number noted on each document along with a request to file the documents as exhibits in your case. *Please make sure that exhibits are mailed well in advance so that they can be processed.* **A complete copy of each exhibit must also be mailed to the opposing party at the address they were served (for defendants) or the address on the complaint (for plaintiffs).** Please carefully consider what documents are necessary to prove your case as exhibits and what are extraneous. You need not submit exhibits in support of facts not in dispute.

If you have witnesses, please notify the court in writing in advance of the hearing along with a phone number to contact them on the date and time of the hearing. Please have your witnesses on standby to be called within a one hour window of the hearing time.

Please consider IN ADVANCE what facts are in dispute. The Court does not need to hear testimony or consider evidence about facts not in dispute. Most of the time, the parties agree on all but a few points of fact. **Prepare, prepare, prepare.** Your trial is your time to be heard. It does not help you if you think of compelling evidence or arguments after the trial. Please be prepared for the Magistrate to guide the trial along and ask questions. If you are not represented by an attorney, the Magistrate has the benefit of understanding the law and can focus on asking questions relevant to the law and facts in dispute.

DEFENDANTS:

The plaintiff listed on the summons and complaint you have been served with is bringing a small claims action against you for the recovery of money damages for the reasons described in the complaint. If you disagree with the claim and want a trial, you must file an answer to the complaint. Your trial date and time is on the summons and complaint you were served with. DEFENDANTS WHO DISPUTE THE CLAIM ON THE COMPLAINT MUST FILE THEIR ANSWER IN WRITING BEFORE THE HEARING. This can be done by mailing the answer, along with the answer fee, to the Clerk of Court at 270 S. Tejon, Colorado Springs, CO 80903 or by placing your answer in the Clerk's Office drop basket located at the front entrance of the courthouse near security. Please carefully read and refer to the "Information for Defendants in Small Claims Cases" found on the backside of your copy of the complaint.