

COLLECTIONS ADVISEMENT

PLEASE READ CAREFULLY-YOU WILL NOT APPEAR IN COURT IN PERSON

TO ALL DEFENDANTS: You have been served with paperwork because someone is trying to collect money from you. This document describes your options. You will have to choose one of the options. The paperwork you received provides you with a date to appear in Court. **YOU WILL NOT APPEAR IN COURT IN PERSON EVEN THOUGH THE SUMMONS YOU WERE SERVED WITH SAYS TO APPEAR.** Instead, you will choose one of the options below. The date to appear on your paperwork is the date by which you must exercise one of the options.

Option # 1 REACH AN AGREEMENT (you may choose this option if you agree you owe the money claimed):

The first option is that you can contact the plaintiff (who is the person or entity trying to collect money from you) to try to reach a settlement/payment agreement. The Contact information for the plaintiff is listed on the upper left-hand side of the first page of the Summons and Complaint you were served with. If an agreement is reached, it will be put in writing and become a court order (a "Stipulation"). It will be your responsibility to make sure you understand any agreement reached. If you agree to make payments, it will be your responsibility to make the payments on time and without demand. **If you and the plaintiff choose to reach an agreement, the agreement must be signed by you and filed by the plaintiff with the Court on or before the date listed on the Summons you were served with. If it is not, then the Court will assume you have selected the option below to do nothing. YOU ARE NOT REQUIRED TO EXECUTE A PAYMENT AGREEMENT.**

Option # 2 FILE AN ANSWER (you may choose this option if you dispute that you owe the money claimed):

The second option is you may file an Answer to the Complaint that was filed against you. If you dispute that you owe the amount claimed or disagree with the amount claimed, filing an Answer is necessary to dispute the debt. Filing an Answer is how you tell the Court you want the facts and the evidence to be heard by a judicial officer at trial. If you wish to file an Answer, you must file the Answer on or before the date listed on the Summons you were served with. If you do not file an Answer by that date, you will have no further opportunity to do so. There is a fee to file an Answer. If you cannot afford the fee, the Clerk's Office can waive the fee if you qualify. **YOU HAVE AN ABSOLUTE RIGHT TO FILE AN ANSWER.**

To file an Answer: Complete the form Answer you were served with. You may file your answer via U.S. mail addressed to the Clerk of Court at 270 S. Tejon St., Colorado Springs, CO 80903 or in-person in the Clerk's office located in Room S101 of the courthouse. Please include with your Answer either the filing fee in the form of a check or money order payable to the Clerk of Court or attached fee waiver application. If you are requesting a fee waiver, you will have to submit the paperwork and supporting documentation for the fee waiver and you will be notified by mail if you qualify or are denied. If denied, you will receive documentation requesting payment of the filing fee.

PLEASE BE CERTAIN TO INCLUDE A TELEPHONE NUMBER AND E-MAIL ADDRESS ON YOUR ANSWER

Option # 3 DO NOTHING: Your third option is to do nothing. Should you choose that option, the plaintiff may request that the Court enter a money judgment against you for the amount listed in the Complaint you were served with, along with attorney's fees (if any) and costs of court. In other words, if you do nothing, a money judgment may enter against you by default. Money judgments are public record. Once a money judgment is entered, the plaintiff will likely take steps to collect the amount of the judgment, which may include wage garnishments or bank account garnishments or other legal remedies.

IF YOU CANNOT READ OR SPEAK ENGLISH, PLEASE CONTACT THE COURT AT [D04 Courts DivCVL@judicial.state.co.us](mailto:D04_Courts_DivCVL@judicial.state.co.us) OR call (719) 452-5000.

SI NO PUEDE LEER O HABLAR INGLES POR FAVOR PONERSE EN CONTACTO CON EL CORTE EN [D04 Courts DivCVL@judicial.state.co.us](mailto:D04_Courts_DivCVL@judicial.state.co.us) O LLAMAR (719) 452-5000.

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[D04 Courts DivCVL@judicial.state.co.us](mailto:D04_Courts_DivCVL@judicial.state.co.us) 또는 전화 (719) 452-5000.

rú guǒ nín bù néng yuè dú huò shuō huà qǐng shuō yīng yǔ qǐng tōng guò yǐ xià fāng shì yǔ fǎ yuàn lián xì
[D04 Courts DivCVL@judicial.state.co.us](mailto:D04_Courts_DivCVL@judicial.state.co.us) huò zhì diàn (719) 452-5000.

So ordered.

Andrea Paprzycki
Magistrate

FEE WAIVER APPLICATION IF YOU ARE FILING AN ANSWER AND APPLYING FOR A FEE WAIVER (MIFP)

If you do *not* have documentation, as noted on the checklist below, you **will** be placed on a payment plan

CHECKLIST TO APPLY FOR MOTION TO PROCEED INFORMA PAUPERIS (MIFP)

Fill out Form JDF205 MOTION TO FILE WITHOUT PAYMENT OF FILING FEE.

- Correct and complete information must be provided on this form. Inadequate or incomplete information may result in your request to file and Motion being denied and filing fees will be assessed and all or partial payments expected. If an item on the form does not apply, please write "N/A".
- Copies of the previous three months bank statements including checking and savings must be included with the JDF205 form. DO NOT provide originals.
- Copies of the previous three months paystubs and/or proof of income must be included. DO NOT provide originals.
- Income can include wages, self-employment income, unemployment benefits, Social Security, SSI, alimony, workers compensation, etc. (see page 2 of the JDF205 form).
- Income of parents if parents are supporting you.
- Child support is not included as income but can be included as an expense.
- Nonessential items such as cable or satellite television, club memberships, entertainment, dining out, etc., shall not be included in determining expenses (see page 2 of the JDF205 form).
- Co-petitioner's must fill form out with both party's financial information.

*****Please be advised that if the above information is not provided at the time of your filing you will be set up on a payment plan for your filing fee by a Collection Investigator. *****

Court County Court
El Paso County, Colorado Court
Address: 270 South Tejon Street
Colorado Springs, Colorado 80903

Plaintiff/Petitioner: _____ v.

Defendant/Respondent: _____

Attorney or Party Without Attorney: (Name & Address)

Phone Number:

Atty. Reg. #:

▲ COURT USE ONLY ▲

Case Number: _____

Courtroom: **S290** Division **CVL**

MOTION TO: FILE WITHOUT PAYMENT OF FILING FEE WAIVE OTHER COSTS OWED TO THE STATE AND SUPPORTING FINANCIAL AFFIDAVIT

I, _____ respectfully move the Court for an order to waive the following filing fee(s):
 complaint petition answer response motion to modify other: _____ and as grounds state that I am without funds, have no adequate funds available, and have a meritorious claim.

All items must be fully completed. Print or type neatly. If an item does not apply, please write "N/A"

Name of Applicant

| | | |
|-----------|------------|----|
| Last Name | First Name | MI |
|-----------|------------|----|

Street Address (Include Apt. # if applicable)

City _____ State _____ Zip Code _____

Own Rent Home Phone #: _____

| | | |
|-------------------|-------------------------|---------------|
| Social Security # | Driver's Lic. # & State | Date of Birth |
|-------------------|-------------------------|---------------|

Most Recent Employer: _____

Work Address: _____

Work Phone #: () _____

Dates Employed: _____

Hours/Week: _____ Pay Rate: \$ _____ Weekly Bi-weekly Monthly Annual Other: _____

Name of Other Responsible Party(Spouse, Partner, Parent, Other Persons in Household)

| | | |
|-----------|------------|----|
| Last Name | First Name | MI |
|-----------|------------|----|

Street Address (Include Apt. # if applicable)

City _____ State _____ Zip Code _____

Own Rent Home Phone #: _____

| | | |
|-------------------|-------------------------|---------------|
| Social Security # | Driver's Lic. # & State | Date of Birth |
|-------------------|-------------------------|---------------|

Most Recent Employer: _____

Work Address: _____

Work Phone #: () _____

Dates Employed: _____

Hours/Week: _____ Pay Rate: \$ _____ Weekly Bi-weekly Monthly Annual Other: _____

Marital Status: Single Married Partner in a Civil Union Divorced/Civil Union Dissolved Separated
 Widowed

Number in Household: (including yourself) _____ **Identify Members:**

| | | |
|------------|-----------|--------------------|
| Name _____ | Age _____ | Relationship _____ |
| Name _____ | Age _____ | Relationship _____ |

| Gross Monthly Income (See Information on page 3) | | Monthly Expenses (See Information on Page 3) | |
|--|----------|--|----------|
| Self (wages, salary, commission) | \$ _____ | Rent or Mortgage | \$ _____ |
| Spouse/Partner, Other Household Members | \$ _____ | Groceries | \$ _____ |
| Parents (if same household) | \$ _____ | Utilities | \$ _____ |
| Unemployment Benefits | \$ _____ | Clothing | \$ _____ |
| Social Security/Retirement Funds | \$ _____ | Maintenance/Alimony and/or Child Support | \$ _____ |
| Maintenance/Alimony | \$ _____ | Medical/Dental | \$ _____ |
| Other Income (identify) | \$ _____ | Other Expenses (identify) | \$ _____ |
| Other Income (identify) | \$ _____ | Other Expenses (identify) | \$ _____ |
| Total Income | \$ _____ | Total Expenses | \$ _____ |
| Cash on Hand (Cash you are carrying or which is stored at home, etc.) | \$ _____ | Credit Cards: (Show type and balance owed) | |
| | | Type: _____ Balance \$ _____ | |
| | | Type: _____ Balance \$ _____ | |
| Checking Account Balance | \$ _____ | Name/Address of Bank: _____ | |
| Savings Account Balance | \$ _____ | Name/Address of Bank: _____ | |
| Stocks, Bonds, or other Investments Held Balance | \$ _____ | _____ Type of Investment Name/Location of Company/Corporation _____ | |
| Vehicles Owned (Autos, boats, recreational vehicles, etc.) - Estimate Value | \$ _____ | Year _____ Model _____ License Plate _____ Year _____ Model _____ License Plate _____ | |
| House(s) or other Property Estimate Value | \$ _____ | Amount owed \$ _____ Year Purchased _____ | |

IF ADDITIONAL SPACE IS NEEDED TO PROVIDE COMPLETE INFORMATION, ATTACH A SEPARATE PAGE.

I swear under penalty of perjury that all information provided is true and complete. In addition, if requested I will provide three (3) months of bank statements and pay stubs or other comparable proof of income status. I authorize the Court to make any necessary contacts to verify the information.

Signature: _____ Date: _____

MOTION TO FILE WITHOUT PAYMENT SUPPORTING FINANCIAL AFFIDAVIT, AND SUPPORTING DOCUMENTATION REQUESTED

General Information

It is important that you accurately complete all sections of this form as appropriate based on your personal circumstances. If a section does not apply, please write N/A.

A. Gross Monthly Income. Includes income from all members of the household who contribute monetarily to the common support of the household.

◆ **Income categories to include:**

Wages, including tips, salaries, commissions, payments received as an independent contractor for labor or services, bonuses, dividends, severance pay, pensions, retirement benefits, royalties, interest/investment earnings, trust income, annuities, capital gains, unemployment benefits, Social Security Disability (SSD), Social Security Supplemental Income (SSI), Workman's Compensation Benefits, and alimony.

Note: Income from roommates should not be considered if such income is not commingled in accounts or otherwise combined with the applicant's income in a fashion which would allow the applicant proprietary rights to the roommate's income.

◆ **Income categories do not include:**

TANF payments, food stamps, subsidized housing assistance, veteran's benefits earned from a disability, child support payments, or other public assistance programs.

B. Liquid Assets. Includes cash on hand or in accounts, stocks bonds, certificates of deposit, equity, and personal property or investments which could readily be converted into cash without jeopardizing the applicant's ability to maintain home and employment.

Expenses. Nonessential items such as cable television, club memberships, entertainment, dining out, alcohol, cigarettes, etc., **shall not** be included. Allowable expense categories are listed on JDF 205.

If you are applying to have your filing fee waived, you may be asked to supply:

- a. Copies of the previous three months bank statements, including checking and savings. **DO NOT provide originals.**
- b. Copies of the previous three months' pay stubs and/or proof of income must be included. **DO NOT provide originals.**

County Court El Paso County, Colorado Court Address:
270 S. Tejon St.
Colorado Springs, Co. 80903

Plaintiff/Petitioner: _____

v.

Defendant/Respondent/Co-Petitioner: _____



COURT USE ONLY

Case Number: _____

Division: CVL Courtroom: S290

**FINDING AND ORDER CONCERNING PAYMENT
OF FILING FEES**

Name of Party filing Motion: _____ on _____ (Date).

Upon review of the attached Motion, the above party is:

Eligible to proceed without payment of the following filing fee(s):

- complaint petition answer
 response motion to modify other: _____

Eligible to have the filing fee of \$ _____ paid in two three payments, with the first payment due by _____ (date) and the final payment due by _____ (date).

Not Eligible to proceed. Party is responsible for payment of the filing fees.

Date: _____

Signature of Eligibility Investigator, Clerk of Court, Judge/Magistrate

ORDER

The Court has reviewed the Motion (JDF 205) and so orders:

- As indicated above.
 The specified party is ordered to pay \$ _____ by _____ (Date) to cover filing fees.
 Other _____

The Court finds that by allowing a party to proceed with a payment plan, the party has agreed to pay the fee as listed above. Failure to pay will result in collection against the party. Costs associated with collection will be assessed.

A subsequent motion to proceed without payment of filing fees must be filed upon order of the court or anytime the case is re-opened. Pursuant to §13-16-103, C.R.S., in the event the party who receives a waiver of costs prosecutes or defends an action or proceeding successfully, there shall be a judgment entered in his/her favor in the amount of the court costs and the party shall, upon collecting such court costs, remit them to the Court.

Date: _____

 Judge Magistrate