

## How is a judgment collected?

If you are awarded a judgment you are responsible for collection. The Court will **NOT** collect the judgment for you.

As a courtesy, ask the judgment debtor (the losing party), preferably in writing, to pay.

If the judgment debtor refuses to pay and you do not know where the judgment debtor works, banks or owns property, you can:

Prepare and serve interrogatories on judgment debtor.

If you know where the judgment debtor's assets are located or where he/she is employed, you can proceed with a garnishment.

**Additional information is available in a separate brochure for:**

Judgment Collection and Garnishments

## Weld County Combined Courts

915 10th Street  
Greeley, CO 80631  
Phone: 970-475-2400

## Answers to Questions About

# County Court Civil Money Cases



**Weld County  
Combined Courts  
Court Information Center**

[www.courts.state.co.us](http://www.courts.state.co.us)

## County Court Civil Cases

---

County court civil cases involve among other things, debt collection, landlord/tenant disputes and contract disputes; In Colorado, County Court Rules of Civil Procedure govern the procedures. The jurisdictional limit in Colorado is not to exceed \$15,000 for debt, damage or value of property.

### How does a civil case begin?

#### Complaint:

A civil case begins with a complaint. The complaint includes a brief statement of the facts of the complaining person's case. The person filing the complaint is the **plaintiff**; and the person being sued is the **defendant**. The plaintiff must file the complaint in the clerk's office along with paying a filing fee.

#### Summons:

The **summons** provides a date by which the defendant (the person being sued) must respond to the complaint.

It also includes the date and time of appearance and the location of the court. The summons is issued by the Clerk of Court. The summons and the complaint must be served upon the defendant by a disinterested third party, such as the sheriff or a private process server.

**NOTE:** It is the **plaintiff's** responsibility to make sure that the **defendant** is served and proof of service is filed with the court.

#### What courses of action can the defendant take?

After the defendant receives a copy of the summons and complaint, there are several courses of actions that can be taken.

#### Answer:

The defendant must file an answer, and pay the filing fee, by the date and time in the summons, or risk the entry of a default judgment. The written answer is the Defendant's response to the claims made by the Plaintiff in the complaint. A copy of the answer must be mailed to the Plaintiff.

#### Counterclaim:

The defendant's answer may include a counterclaim, which is a claim the Defendant makes against the Plaintiff. A copy of the counterclaim must be mailed to the Plaintiff. There is a Counterclaim filing fee.

#### Jury Trial Request:

If either party is entitled to and requests a trial by jury, a jury demand fee must be paid.

#### Default Judgment:

If the defendant does not respond to the complaint (fails to file an answer) or appear at the summons return date and time, then a default judgment may be entered against the defendant. The judicial officer may determine additional court costs and fees.