

County Court FED FILING CHECKLIST

- 1) Is the property located in Boulder County?
- 2) An FED action can only be filed by the property owner themselves, an attorney representing the owner, or an officer of a closely held entity. A closely held entity means an entity with no more than three owners and the amount of controversy does not exceed \$10,000.
- 3) Is the amount \$15,000 or less? If the amount is over \$15,000 it is a district court matter.
- 4) Is the copy of the 3-day demand/notice to quit filed showing date of posting and signature?
- 5) Have 3 days passed beginning the day after the date of posting the demand/notice to quit until the day of filing the complaint? If you post on Monday, you can file on Friday. The day you post does not count.
- 6) Based on our schedule of Friday hearings, the Complaint cannot be filed any later than the Friday of the week before the FED Hearing, nor any earlier than 2 Fridays before the FED Hearing.
- 7) Is the complaint complete, including signature?
- 8) Clerk will issue summons
- 9) Is Certificate of Mailing complete?
- 10) Is Caption information on the Summons, Complaint, Affidavit of Service, Answer?
- 11) Is the Writ of Restitution complete with the caption, plaintiffs & defendant's names and address of property?
- 12) Copy of lease filed?
- 13) Clerk will receipt filing fee

Copies (of summons, complaint, exhibits, affidavit of service & answer):

Plaintiff = 1 copy

For the server to serve = 2 copies (per defendant)

Mailing = 1 copy (per defendant)

Service:

- ✓ Service of process is either by personal service (BSO or Private Process Server) or posting by an uninterested 3rd party over the age of 18.
- ✓ Service shall occur no less than 7 days prior to hearing. Plaintiff must bring proof of service to the court hearing or file the proof with the court prior to the hearing.
- ✓ Notice of entity will be mailed by the docketing clerk to any business without attorney representation.