## RULE CHANGE 2024(03)

## COLORADO RULES OF CIVIL PROCEDURE

Rules 10, 16.2, 26, 121 §1-15, and 121 §1-26 Forms 29, 30, and JDF 250

## Rule 10. Form and Quality of Pleadings, Motions and Other Documents

## (a) - (c) [NO CHANGE]

- (d) General Rule Regarding Paper Size, Format, and Spacing. All documents filed after the effective date of this rule, including those filed through the E-Filing System under C.R.C.P. 121(1-26), shall meet the following criteria:
- (1) *Paper*. Where a document is filed on paper, it shall be on plain, white, 8 ½ by 11 inch paper (recycled paper preferred).
- (2) *Format*. All documents shall be legible. They shall be printed on one side of the page only (except for E-Filed documents).

## (I) - (II) [NO CHANGE]

(III) Case Caption Information. All documents shall contain the following information arranged in the following order, as illustrated by paragraphs (e) and (f) of this rule, except that documents issued by the court under the signature of the clerk or judge should omit the attorney section as illustrated in paragraphs (e)(2) and (f)(2). Individual boxes should separate this case caption information; however, vertical lines are not mandatory. On the left side:

Document title (the document title may instead be included as a centered line at the bottom of the caption).

Court name and mailing address.

Name of parties.

Name, address, and telephone number of the attorney or pro se party filing the document. Fax number and e-mail address are optional.

Attorney registration number.

On the right side:

An area for "Court Use Only" that is at least 2 ½ inches in width and 1 ¾ inches in length (located opposite the court and party information).

Case number, division number, and courtroom number (located opposite the attorney information above).

Centered at the bottom of the caption:

Document title (the document title may instead be included as the top line on the left side of the caption).

Orders that are submitted as proposed shall not contain the word (PROPOSED) in the caption of the order.

(3) - (4) [NO CHANGE]

## (e) - (h) [NO CHANGE]

(i) State Judicial Pre-Printed or Computer-Generated Forms. Forms approved by the State Court Administrator's Office (designated "JDF" or "SCAO" on pre-printed or computer-generated forms), forms set forth in the Colorado Court Rules, volume 12, C.R.S., (including those pre-printed or computer-generated forms designated "CRCP" or "CPC" and those contained in the appendices of volume 12, C.R.S.), and forms generated by the state's judicial electronic system, "ICON," shall conform to criteria established by the State Court Administrator's Office with the approval of the Colorado Supreme Court. Such forms, whether preprinted or computer-generated, shall employ a form of caption similar to those contained in this rule, , and 1 inch left margin, ½ inch right and bottom margins, and at least 1 inch top margin, except that for forms designated "JDF" or "SCAO" the requirement of at least 1 inch for the top margin shall apply to forms created or revised on and after April 5, 2010.

# Rule 16.2. Court Facilitated Management of Domestic Relations Cases and General Provisions Governing Duty of Disclosure

- (a) (d) [NO CHANGE]
- (e) Disclosure.
- (1) [NO CHANGE]
- (2) Except as set forth in C.R.C.P. 16.2(e)(11) below, aA party shall, without a formal discovery request, provide the Mandatory Disclosures, as set forth in the form and content of Appendix to Chapters 1 to 17A, Form 35.1, C.R.C.P., and shall provide a completed Sworn Financial Statement and (if applicable) Supporting Schedules as set forth in the form and content of Appendix to Chapters 1 to 17A, Form 35.2 and Form 35.3, C.R.C.P., to the other party within 42 days after service of a petition or a post decree motion involving financial issues. The parties shall exchange the required Mandatory Disclosures, the Sworn Financial Statement and (if applicable) Supporting Schedules by the time of the initial status conference to the extent reasonably possible. Parties proceeding under C.R.C.P. 16.2(e)(11) shall file and serve a completed Affidavit in Support of Waiver of Mandatory Disclosures, Form 1372, within 42 days after service of a petition or a post decree motion involving financial matters.

## (3) - (10) [NO CHANGE]

(11) (a) Parties to a domestic relations matter may agree in writing to limit exchange of financial disclosures otherwise required under C.R.C.P. 16.2(e)(2) to Sworn Financial Statements so long as the parties affirm that all of the following conditions exist at the time of their agreement:

- 1. Limiting disclosure will not create a substantial hardship to any party;
- 2. No party is pregnant, and the matter will not involve a determination of paternity, entry of a parenting plan, or an order of child support;
- 3. Neither party is currently seeking an award of maintenance;
- 4. The net equity (estimated value as of the current date minus all amounts owed) of all marital assets in a dissolution matter, (excluding the marital residence) is less than \$100,000.
- 5. The combined debt of the parties, not including the mortgage on the marital residence, is less than \$50,000; and
- 6. Neither party has any separate property interests with net equity exceeding \$10,000, any interest in a pension, or any interest in a trust.

(b) Each party shall execute an Affidavit in Support of Waiver of Mandatory Disclosures, Form 1372, affirming they meet the requirements above for limited disclosures.

(c) In all domestic relations cases, the filing of a Sworn Financial Statement remains mandatory. At any time after filing Sworn Financial Statements, either party may withdraw consent to limited financial disclosures by filing a Notice of Withdrawal of Consent to Waiver of Mandatory Financial Disclosures in Domestic Relations Cases, Form 1373, with the Court withdrawing consent to limited disclosures, or the Court may order that limited financial disclosure is not appropriate given the facts of a particular case. All disclosures required under C.R.C.P. 16.2(e)(2) shall be exchanged and the Certificate of Compliance filed within 28 days following the earlier of the date of filing a withdrawal of consent or entry of a Court order mandating complete financial disclosures.

(f) - (j) [NO CHANGE]

## Rule 26. General Provisions Governing Discovery; Duty of Disclosure

(a) - (c) [NO CHANGE]

(d) Timing and Sequence of Discovery. Except when authorized by these Rules, by order, or by agreement of the parties, a party may not seek discovery from any source before service of the Case Management Order pursuant to C.R.C.P. 16(b)(198). Any discovery conducted prior to issuance of the Case Management Order shall not exceed the limitations established by C.R.C.P. 26(b)(2). Unless the parties stipulate or the court upon motion, for the convenience of parties and witnesses and in the interests of justice, orders otherwise, methods of discovery may be used in any sequence, and the fact that a party is conducting discovery, whether by deposition or otherwise, shall not operate to delay any other party's discovery.

(e) - (g) [NO CHANGE]

#### Rule 121. Local Rules—Statewide Practice Standards

(a) - (c) [NO CHANGE]

Section 1 - 1 to 1 - 14 [NO CHANGE]

### Section 1 – 15 DETERMINATION OF MOTIONS

- 1. Motions and Briefs; When Required; Time for Serving and Filing--Length.
- (a) Except motions during trial or where the court orders that certain or all non-dispositive motions be made orally, any motions involving a contested issue of law shall be supported by a recitation of legal authority incorporated into the motion, which shall not be filed with a separate brief. Unless the court orders otherwise, motions and responsive briefs not under C.R.C.P. 12(b)(1) or (2), or 56 are limited to 15 pages, and reply briefs to 10 pages, not including the case caption, signature block, certificate of service and attachments. Unless the court orders otherwise, motions and responsive briefs under C.R.C.P. 12(b)(1) or (2) or 56 are limited to 25 pages, and reply briefs to 15 pages, not including the case caption, signature block, certificate of service and attachments. All motions and briefs shall comply with C.R.C.P. 10(d).
- (b) The responding party shall have 21 days after the filing of the motion or such lesser or greater time as the court may allow in which to file a responsive brief. If a motion is filed 42 days or less before the trial date, the responding party shall have 14 days after the filing of the motion or such lesser or greater time as the court may allow in which to file a responsive brief.
- (c) Except for a motion pursuant to C.R.C.P. 56, the moving party shall have 7 days after the filing of the responsive brief or such greater or lesser time as the court may allow to file a reply brief. For a motion pursuant to C.R.C.P. 56, the moving party shall have 14 days after the filing of the responsive brief or such greater or lesser time as the court may allow to file a reply brief. (d) A motion shall not be included in a response or reply to the original motion.
- 2. Affidavits. If facts not appearing of record may be considered in disposition of the motion, the parties may file affidavits with the motion or within the time specified for filing the party's brief in this section 1-15, Rules 6, 56 or 59, C.R.C.P., or as otherwise ordered by the court. Copies of such affidavits and any documentary evidence used in connection with the motion shall be served on all other parties.
- 3. Effect of Failure to File Legal Authority. If the moving party fails to incorporate legal authority into a written motion, the court may deem the motion abandoned and may enter an order denying the motion. Other than motions seeking to resolve a claim or defense under C.R.C.P. 12 or 56, failure of a responding party to file a responsive brief may be considered a confession of the motion.
- 4. Motions to Be Determined on Briefs, When Oral Argument is Allowed; Motions Requiring Immediate Attention. Motions shall be determined promptly if possible. The court has discretion to order briefing or set a hearing on the motion. If possible, the court shall determine oral motions at the conclusion of the argument, but may take the motion under advisement or require briefing before ruling. Any motion requiring immediate disposition shall be called to the attention of the courtroom clerk by the party filing such motion.
- 5. Notification of Court's Ruling; Setting of Argument or Hearing When Ordered. Whenever the court enters an order denying or granting a motion without a hearing, all parties shall be forthwith notified by the court of such order. If the court desires or authorizes oral argument or

an evidentiary hearing, all parties shall be so notified by the court. After notification, it shall be the responsibility of the moving party to have the motion set for oral argument or hearing. Unless the court orders otherwise, a notice to set oral argument or hearing shall be filed in accordance with Practice Standard § 1-6 within 7 days of notification that oral argument or hearing is required or authorized.

- 6. Effect of Failure to Appear at Oral Argument or Hearing. If any of the parties fails to appear at an oral argument or hearing, without prior showing of good cause for non-appearance, the court may proceed to hear and rule on the motion.
- 7. Sanctions. If a frivolous motion is filed or if frivolous opposition to a motion is interposed, the court may assess reasonable attorney's fees against the party or attorney filing such motion or interposing such opposition.
- 8. Duty to Confer. Unless a statute or rule governing the motion provides that it may be filed without notice, moving counsel and any self-represented party shall confer with opposing counsel and any self-represented parties before filing a motion. The requirement of selfrepresented parties to confer and the requirement to confer with self-represented parties shall not apply to any incarcerated person, or any self-represented party as to whom the requirement is contrary to court order or statute, including, but not limited to, any person as to whom contact would or precipitate a violation of a protection or restraining order. The motion shall, at the beginning, contain a certification that the movant in good faith has conferred with opposing counsel and any self-represented parties about the motion. If the relief sought by the motion has been agreed to by the parties or will not be opposed, the court shall be so advised in the motion. If no conference has occurred, the reason why, including all efforts to confer, shall be stated. 9. Unopposed Motions. All unopposed motions shall be so designated in the title of the motion. 10. Proposed Order. Except for orders containing signatures of the parties or attorneys as required by statute or rule, each motion shall be accompanied by a proposed order submitted in editable format. The proposed order complies with this provision if it states that the requested relief be granted or denied. Orders that are submitted as proposed shall not contain the word (PROPOSED) in the caption of the order. Proposed Orders must only be designated as proposed in the e-filing transmission.
- 11. Motions to Reconsider. Motions to reconsider interlocutory orders of the court, meaning motions to reconsider other than those governed by C.R.C.P. 59 or 60, are disfavored. A party moving to reconsider must show more than a disagreement with the court's decision. Such a motion must allege a manifest error of fact or law that clearly mandates a different result or other circumstance resulting in manifest injustice. The motion shall be filed within 14 days from the date of the order, unless the party seeking reconsideration shows good cause for not filing within that time. Good cause for not filing within 14 days from the date of the order includes newly available material evidence and an intervening change in the governing legal standard. The court may deny the motion before receiving a responsive brief under paragraph 1(b) of this standard.

COMMENTS [NO CHANGE]

Section 1 - 16 to 1 - 25 [NO CHANGE]

Section 1 – 26 ELECTRONIC FILING AND SERVICE SYSTEM

1. - 14. [NO CHANGE]

- 15. Form of Electronic Documents.
- (a) (b) [NO CHANGE]
- (c) *Proposed Orders*. Proposed orders shall be E-Filed in editable format. Proposed orders that are E-Filed in a non-editable format shall be rejected by the Court Clerk's office and must be resubmitted. Orders that are submitted as proposed shall not contain the word (PROPOSED) in the caption of the order. Proposed Orders must only be designated as proposed in the e-filing transmission.

## Rule 10. Form and Quality of Pleadings, Motions and Other Documents

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Document title (the document title may instead be included as a centered line at the bottom of the caption).

Court name and mailing address.

Name of parties.

Name, address, and telephone number of the attorney or pro se party filing the document. Fax number and e-mail address are optional.

Attorney registration number.

On the right side:

An area for "Court Use Only" that is at least 2 ½ inches in width and 1 ¾ inches in length (located opposite the court and party information).

Case number, division number, and courtroom number (located opposite the attorney information above).

Centered at the bottom of the caption:

Document title (the document title may instead be included as the top line on the left side of the caption).

Orders that are submitted as proposed shall not contain the word (PROPOSED) in the caption of the order.

(3) - (4) [NO CHANGE]

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(i) State Judicial Pre-Printed or Computer-Generated Forms. Forms approved by the State Court Administrator's Office (designated "JDF" or "SCAO" on pre-printed or computer-generated forms), forms set forth in the Colorado Court Rules, volume 12, C.R.S., (including those pre-printed or computer-generated forms designated "CRCP" or "CPC" and those contained in the appendices of volume 12, C.R.S.), and forms generated by the state's judicial electronic system shall conform to criteria established by the State Court Administrator's Office with the approval of the Colorado Supreme Court. Such forms, whether preprinted or computer-generated, shall employ a form of caption similar to those contained in this rule, , and 1 inch left margin, ½ inch right and bottom margins, and at least 1 inch top margin, except that for forms designated "JDF" or "SCAO" the requirement of at least 1 inch for the top margin shall apply to forms created or revised on and after April 5, 2010.

# Rule 16.2. Court Facilitated Management of Domestic Relations Cases and General Provisions Governing Duty of Disclosure

- (a) (d) [NO CHANGE]
- (e) Disclosure.
- (1) [NO CHANGE]
- (2) Except as set forth in C.R.C.P. 16.2(e)(11) below, a party shall, without a formal discovery request, provide the Mandatory Disclosures, as set forth in the form and content of Appendix to Chapters 1 to 17A, Form 35.1, C.R.C.P., and shall provide a completed Sworn Financial Statement and (if applicable) Supporting Schedules as set forth in the form and content of Appendix to Chapters 1 to 17A, Form 35.2 and Form 35.3, C.R.C.P., to the other party within 42 days after service of a petition or a post decree motion involving financial issues. The parties shall exchange the required Mandatory Disclosures, the Sworn Financial Statement and (if applicable) Supporting Schedules by the time of the initial status conference to the extent reasonably possible. Parties proceeding under C.R.C.P. 16.2(e)(11) shall file and serve a completed Affidavit in Support of Waiver of Mandatory Disclosures, Form 1372, within 42 days after service of a petition or a post decree motion involving financial matters.

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  - 2. No party is pregnant, and the matter will not involve a determination of paternity, entry of a parenting plan, or an order of child support;
  - 3. Neither party is currently seeking an award of maintenance;
  - 4. The net equity (estimated value as of the current date minus all amounts owed) of all marital assets in a dissolution matter, (excluding the marital residence) is less than \$100,000.
  - 5. The combined debt of the parties, not including the mortgage on the marital residence, is less than \$50,000; and
  - 6. Neither party has any separate property interests with net equity exceeding \$10,000, any interest in a pension, or any interest in a trust.

- (b) Each party shall execute an Affidavit in Support of Waiver of Mandatory Disclosures, Form 1372, affirming they meet the requirements above for limited disclosures.
- (c) In all domestic relations cases, the filing of a Sworn Financial Statement remains mandatory. At any time after filing Sworn Financial Statements, either party may withdraw consent to limited financial disclosures by filing a Notice of Withdrawal of Consent to Waiver of Mandatory Financial Disclosures in Domestic Relations Cases, Form 1373, with the Court withdrawing consent to limited disclosures, or the Court may order that limited financial disclosure is not appropriate given the facts of a particular case. All disclosures required under C.R.C.P. 16.2(e)(2) shall be exchanged and the Certificate of Compliance filed within 28 days following the earlier of the date of filing a withdrawal of consent or entry of a Court order mandating complete financial disclosures.

(f) - (j) [NO CHANGE]

## Rule 26. General Provisions Governing Discovery; Duty of Disclosure

(a) - (c) [NO CHANGE]

(d) Timing and Sequence of Discovery. Except when authorized by these Rules, by order, or by agreement of the parties, a party may not seek discovery from any source before service of the Case Management Order pursuant to C.R.C.P. 16(b)(19). Any discovery conducted prior to issuance of the Case Management Order shall not exceed the limitations established by C.R.C.P. 26(b)(2). Unless the parties stipulate or the court upon motion, for the convenience of parties and witnesses and in the interests of justice, orders otherwise, methods of discovery may be used in any sequence, and the fact that a party is conducting discovery, whether by deposition or otherwise, shall not operate to delay any other party's discovery.

(e) - (g) [NO CHANGE]

### Rule 121. Local Rules—Statewide Practice Standards

(a) - (c) [NO CHANGE]

Section 1 - 1 to 1 - 14 [NO CHANGE]

### Section 1 – 15 DETERMINATION OF MOTIONS

- 1. Motions and Briefs; When Required; Time for Serving and Filing--Length.
- (a) Except motions during trial or where the court orders that certain or all non-dispositive motions be made orally, any motions involving a contested issue of law shall be supported by a recitation of legal authority incorporated into the motion, which shall not be filed with a separate brief. Unless the court orders otherwise, motions and responsive briefs not under C.R.C.P. 12(b)(1) or (2), or 56 are limited to 15 pages, and reply briefs to 10 pages, not including the case caption, signature block, certificate of service and attachments. Unless the court orders otherwise, motions and responsive briefs under C.R.C.P. 12(b)(1) or (2) or 56 are limited to 25 pages, and reply briefs to 15 pages, not including the case caption, signature block, certificate of service and attachments. All motions and briefs shall comply with C.R.C.P. 10(d).
- (b) The responding party shall have 21 days after the filing of the motion or such lesser or greater time as the court may allow in which to file a responsive brief. If a motion is filed 42 days or less before the trial date, the responding party shall have 14 days after the filing of the motion or such lesser or greater time as the court may allow in which to file a responsive brief.
- (c) Except for a motion pursuant to C.R.C.P. 56, the moving party shall have 7 days after the filing of the responsive brief or such greater or lesser time as the court may allow to file a reply brief. For a motion pursuant to C.R.C.P. 56, the moving party shall have 14 days after the filing of the responsive brief or such greater or lesser time as the court may allow to file a reply brief. (d) A motion shall not be included in a response or reply to the original motion.
- 2. Affidavits. If facts not appearing of record may be considered in disposition of the motion, the parties may file affidavits with the motion or within the time specified for filing the party's brief in this section 1-15, Rules 6, 56 or 59, C.R.C.P., or as otherwise ordered by the court. Copies of such affidavits and any documentary evidence used in connection with the motion shall be served on all other parties.
- 3. Effect of Failure to File Legal Authority. If the moving party fails to incorporate legal authority into a written motion, the court may deem the motion abandoned and may enter an order denying the motion. Other than motions seeking to resolve a claim or defense under C.R.C.P. 12 or 56, failure of a responding party to file a responsive brief may be considered a confession of the motion.
- 4. Motions to Be Determined on Briefs, When Oral Argument is Allowed; Motions Requiring Immediate Attention. Motions shall be determined promptly if possible. The court has discretion to order briefing or set a hearing on the motion. If possible, the court shall determine oral motions at the conclusion of the argument, but may take the motion under advisement or require briefing before ruling. Any motion requiring immediate disposition shall be called to the attention of the courtroom clerk by the party filing such motion.
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an evidentiary hearing, all parties shall be so notified by the court. After notification, it shall be the responsibility of the moving party to have the motion set for oral argument or hearing. Unless the court orders otherwise, a notice to set oral argument or hearing shall be filed in accordance with Practice Standard § 1-6 within 7 days of notification that oral argument or hearing is required or authorized.

- 6. Effect of Failure to Appear at Oral Argument or Hearing. If any of the parties fails to appear at an oral argument or hearing, without prior showing of good cause for non-appearance, the court may proceed to hear and rule on the motion.
- 7. Sanctions. If a frivolous motion is filed or if frivolous opposition to a motion is interposed, the court may assess reasonable attorney's fees against the party or attorney filing such motion or interposing such opposition.
- 8. Duty to Confer. Unless a statute or rule governing the motion provides that it may be filed without notice, moving counsel and any self-represented party shall confer with opposing counsel and any self-represented parties before filing a motion. The requirement of selfrepresented parties to confer and the requirement to confer with self-represented parties shall not apply to any incarcerated person, or any self-represented party as to whom the requirement is contrary to court order or statute, including, but not limited to, any person as to whom contact would or precipitate a violation of a protection or restraining order. The motion shall, at the beginning, contain a certification that the movant in good faith has conferred with opposing counsel and any self-represented parties about the motion. If the relief sought by the motion has been agreed to by the parties or will not be opposed, the court shall be so advised in the motion. If no conference has occurred, the reason why, including all efforts to confer, shall be stated. 9. Unopposed Motions. All unopposed motions shall be so designated in the title of the motion. 10. Proposed Order. Except for orders containing signatures of the parties or attorneys as required by statute or rule, each motion shall be accompanied by a proposed order submitted in editable format. The proposed order complies with this provision if it states that the requested relief be granted or denied. Orders that are submitted as proposed shall not contain the word (PROPOSED) in the caption of the order. Proposed Orders must only be designated as proposed in the e-filing transmission.
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COMMENTS [NO CHANGE]

Section 1 - 16 to 1 - 25 [NO CHANGE]

Section 1 – 26 ELECTRONIC FILING AND SERVICE SYSTEM

1. - 14. [NO CHANGE]

- 15. Form of Electronic Documents.
- (a) (b) [NO CHANGE]
- (c) *Proposed Orders*. Proposed orders shall be E-Filed in editable format. Proposed orders that are E-Filed in a non-editable format shall be rejected by the Court Clerk's office and must be resubmitted. Orders that are submitted as proposed shall not contain the word (PROPOSED) in the caption of the order. Proposed Orders must only be designated as proposed in the e-filing transmission.

☐County Court ☐				
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with proper return of service to be made to the Court.

#### To The Garnishee:

You are hereby summoned as garnishee in this action and ordered:

**a.** To answer the following questions under oath and file your answers with the Clerk of the Court (AND to mail a completed copy with your answers to the Judgment Creditor or attorney when a stamped envelope is attached) within 14 days following service of this Writ upon you.

Your failure to answer this writ with notice may result in the entry of a default against you.

**b.** To hold pending court order the personal property of any kind (other than earnings of a natural person) in your possession or control, including the debts, credits, choses in action or money owed to the Judgment Debtor whether they are due at the time of the service of the writ or are to become due thereafter.

#### You Are Notified:

- **a.** This Writ with Notice applies to all personal property (other than earnings) owed to or owned by the Judgment Debtor and in your possession or control as of the date and time this Writ was served upon you.
- **b.** In no case may you withhold any personal property greater than the amount on Line 5 on the front of this Writ unless the personal property is incapable of being divided.
- c. After you file your answers to the following questions, and after receiving a separate notice or order from the court, make checks payable and mail to: The Judgment Creditor named above (May select only if the Judgment Creditor is a licensed collection agency pursuant to 5-16-101, et. seq., C.R.S.); ☐the Judgment Creditor's Attorney (if applicable); or to the □Clerk of the □County Court or □District Court in (city), Colorado (Must select if the Judgment Creditor is not represented by an attorney AND is not a licensed collection agency pursuant to 5-16-101, et. seq., C.R.S.) at the address below: Name: Address: Please Put the Case Number (Above) on the Front of the Check. CLERK OF THE COURT By Deputy Clerk: Date: **Questions to be Answered by Garnishee** Judgment Debtor's Name: Case Number: The following guestions MUST be answered by you under oath: a. On the date and time this Writ was served upon you, did you possess or control any personal property of the Judgment Debtor or did you owe any rents, payments, obligations, debts or moneys other than earnings to the Judgment Debtor? **□**YES b. If YES, list all items of personal property and their location(s) and/or describe the nature and amount of the debt or obligation: (Attach additional pages if necessary): \_ **c**. Do you claim any setoff against any property, debt or obligation listed above? d. If you answered YES to question c, describe the nature and amount of the setoff claimed: (Attach additional pages if necessary): Verification I declare under penalty of perjury under the law of Colorado that I am authorized to act for the Garnishee and the foregoing is true and correct. Name of Garnishee (Print) day of \_\_\_\_\_, (year) (city or other location, and state OR country) (Printed name of Person Answering) Signature of Person Answering

#### Notice to Judgment Debtor of Exemption and Pending Levy

This Writ with Notice is a Court order which may cause your property or money to be held and taken to pay a judgment entered against you. You have legal rights which may prevent all or part of your money or property from being taken. That part of the money or property which may not be taken is called "exempt property". A partial list of "exempt property" is shown below, along

R: 1/2224

with the law which may make all or part of your money or property exempt. The purpose of this notice is to tell you about these rights.

#### **Partial List of Exempt Property**

- 1. All or part of your property listed in Sections 13-54-101 and 102, C.R.S., including clothing, jewelry, books, burial sites, household goods, food and fuel, farm animals, seed, tools, equipment and implements, military allowances, stock-in-trade and certain items used in your occupation, bicycles, motor vehicles (greater for disabled persons), life insurance, income tax refunds, attributed to an earned income tax credit or child tax credit, money received because of loss of property or for personal injury, equipment that you need because of your health, or money received because you were a victim of a crime.
- 2. All or part of your earnings under Section 13-54-104, C.R.S.
- 3. Worker's compensation benefits under Section 8-42-124, C.R.S.
- 4. Unemployment compensation benefits under Section 8-80-103, C.R.S.
- 5. Group life insurance benefits under Section 10-7-205, C.R.S.
- 6. Health insurance benefits under Section 10-16-212, C.R.S.
- 7. Fraternal society benefits under Section 10-14-403, C.R.S.
- 8. Family allowances under Section 15-11-404, C.R.S.
- 9. Teachers' retirement fund benefits under Section 22-64-120, C.R.S.
- 10. Public employees' retirement benefits (PERA) under Sections 24-51-212 and 24-54-111, C.R.S.
- 11. Social Security benefits (OASDI, SSI) under 42 U.S.C. §407.
- 12. Railroad employee retirement benefits under 45 U.S.C. §231m.
- 13. Public assistance benefits (OAP, AFDC, TANF, AND, AB, LEAP) under Section 26-2-131, C.R.S.
- 14. Police Officer's and Firefighter's pension fund payments under Sections 31-30-1117 & 31-30.5-208 and 31-31-203, C.R.S.
- 15. Utility and security deposits under Section 13-54-102(1)(r), C.R.S.
- 16. Proceeds of the sale of homestead property under Section 38-41-207, C.R.S.
- 17. Veteran's Administration benefits under 38 U.S.C. §5301.
- 18. Civil service retirement benefits under 5 U.S.C. §8346.
- 19. Mobile homes and trailers under Section 38-41-201.6, C.R.S.
- 20. Certain retirement and pension funds and benefits under Section 13-54-102(1)(s), C.R.S.
- 21. A Court-ordered child support or maintenance obligation or payment under Section 13-54-102(1)(u), C.R.S.
- 22. Public or private disability benefits under Section 13-54-102(1)(v), C.R.S.
- 23. Through February 1, 2021, up to four thousand dollars cumulative in a depository account or accounts in the name of the debtor Up to two thousand five hundred dollars cumulative in a depository account or accounts in the name of the debtor under Section 13-54-102, C.R.S.

If the money or property which is being withheld from you includes any "exempt property," you must file within 14 days of receiving this notice a written Claim of Exemption with the Clerk of the Court describing what money or property you think is "exempt property" and the reason that it is exempt. YOU MUST USE THE APPROVED FORM attached to this Writ or a copy of it. When you file the claim, you must immediately deliver, by certified mail, return receipt requested, a copy of your claim to the Garnishee (person/place that was garnished) and to the Judgment Creditor's attorney, or if none, to the Judgment Creditor at the address shown on this Writ with Notice. Notwithstanding your right to claim the property as "exempt," no exemption other than the exemptions set forth in Section 13-54-104(3), C.R.S., may be claimed for a Writ which is the result of a judgment taken for arrearages for child support or for child support debt.

Once you have properly filed your claim, the court will schedule a hearing within 14 days. The Clerk of the Court will notify you and the Judgment Creditor or attorney of the date and time of the hearing, by telephone, by mail or in person.

When you come to your hearing, you should be ready to explain why you believe your money or property is "exempt property". If you do not appear at the scheduled time, your money or property may be taken by the Court to pay the judgment entered against you.

**Remember** that this is only a partial list of "exempt property"; you may wish to consult with a lawyer who can advise you of your rights. If you cannot afford one, there are listings of legal assistance and legal aid offices in the yellow pages of the telephone book

You must act quickly to protect your rights. Remember, you only have 14 days after receiving this notice to file your claim of exemption with the Clerk of the Court.

County Court District Court	larada	
Court Address:	orado	
Plaintiff(s)/Petitioner(s):		
v.		
Defendant(s)/Respondent(s):		COURT USE ONLY
Judgment Debtor's Attorney or Judgment Debtor	r (Name and Address):	Case Number:
Phone Number: E-mail:		
FAX Number: Atty. Reg		Division Courtroom
CLAIM OF EXEMPTION TO	WRIT OF GARNISHM	ENT WITH NOTICE
nstruction to Judgment Debtor: Use this form to	claim your property is	exempt from Garnishment.
Name:	Phor	ne Number
Street Address:		
Mailing Address, if different:		
City: State:		Zip Code:
/alue of Property Being Held: Amount of Value I Claim is Exempt: claim the Property is Exempt because (Please write	\$ \$ the Exemption(s) listed in the	
If there is more than one account in which property is bein		
<ul><li>By checking this box, I am acknowledging I am filling</li><li>By checking this box, I am acknowledging that I have</li></ul>		
by checking this box, I am acknowledging that I have	made a change to the on	ginal content of this lorn.
certify that the above is correct to the best of my k □ certified mail (return receipt requested) □ or by l or if the Judgment Creditor is represented by Coun Creditor's Attorney or □ E-Service to the Judgmen	E-Service to both the Gasel, □ certified mail (ret	arnishee and to the Judgment Creditor,
The person/place that was garnished	Judgment Creditor	or Attorney
Address:	Address:	
Subscribed under affirmation or oath effore me on(date)	Signature of Judgment	
My commission expires:		unsel and Reg. Number
Notary Public/Deputy Clerk		

Small Claims Court Court Address:		County, Colora	do	
PLAINTIFF(S):				
Address:				
City/State/Zip:				
Phone: Home	Work	Cell		
v. DEFENDANT(1):			A CC	NIBT LISE ONLY
Address:				DURT USE ONLY A
City/State/Zip:				
Phone: Home				
DEFENDANT(2):				S
Address:				
City/State/Zip:				
Phone: Home				Courtroom
NOTICE	. CLAIM AND S	UMMONS TO AP	PEAR FOR TRIAL	(Part 1)
If Defendant(s) is/are other for service of this notice. P Address:  1. The Defendant(s) is/are	lease enter name a	nd address of the age	ent. Name:	
covenant or security do 1/We understand that i	eposit dispute. <b>Ye</b> t is my/our responsin whose age is 18 ye Court with written p	es □No bility to have each D ears or older and who	efendant served with the sis not a party to this a	arising from a restrictive ne "Defendant's Copy" of ction 15 days prior to the
establish your defense.	ave your trial in this or ed in the above cap If you do not appo ounterclaim, you mus pay a nonrefundat	otion. Bring with you ear, judgment may be st provide a written reple filing fee.	(date all books, papers and be entered against you	at(time) at witnesses you need to u. If you wish to defend terclaim on or before the
Plaintiff(s)'s Claim (Pleas	se summarize reaso			
The Defendant(s) owe(s) r and/or should be ordered t covenant for the following r	ne \$ to return property, p	, which includes pe erform a contract or	enalties, plus interest a set aside a contract or	comply with a restrictive
Note: The combined value of m I/we declare under penalty filed in any Small Claims Co in this County this calendal	of perjury under the ourt in this County m	law of Colorado that	t the foregoing is true a	nd correct. I/we have not
Dated:			intiff's Cincerton	
		Pi	aintiff's Signature	
		Pla	aintiff's Signature	<del></del>

Small Claims Court		County, Colorado		
Court Address:				
PLAINTIFF(S):			_	
Address:			_	
City/State/Zip:			_	
Phone: Home	Work	Cell	_	
∨. DEFENDANT(1):				
			▲ co	URT USE ONLY
			Case Number	er:
Phone: Home	Work	Cell	_	
DEFENDANT(2):			_	S
Address:			_	•
			_	
Phone: Home	Work	Cell	_ Division	Courtroom
NOTICE	. CLAIM AND S	UMMONS TO APPEAR		
Address:		l address of the agent. Nar ice: □Yes □No □Unknowi		
<ul> <li>a student in this county covenant or security de</li> <li>I/We understand that it this Notice by a persor</li> </ul>	y, or real property loo eposit dispute. □Ye t is my/our responsil n whose age is 18 ye Court with written pr	employed, has/have an office cated in this county is the subset of the s	oject of claim(s) a t served with the	arising from a restrictive e "Defendant's Copy" o
	Notice an	nd Summons to Appear for	Trial	
To the Defendant(s): You are scheduled to ha	ave your trial in this	case on	(date	e) at (time)
at the Court address states establish your defense.	ated in the above ca If you do not apper punterclaim, you mus	aption. Bring with you all boo ear, judgment may be enter st provide a written response	oks, papers and red against you.	witnesses you need to . If you wish to defend
Dated:				
		Clerk of Court/De	puty Clerk	
The Defendant(s) owe(s) me \$ be ordered to return property	s, v , perform a contract or	which includes penalties, plus into r set aside a contract or comply ribe the property being requester	erest and costs allowith a restrictive	owed by law, and/or should covenant for the following
/we declare under penalty	of perjury under the ourt in this County m	ic performance or cost to remedy law of Colorado that the fore ore than 2 claims during this o	egoing is true and	d correct. I/we have no
Dated:		 Plaintiff's Sig	gnature	
				<del></del>
		Plaintiff's Sig	gnature	

Def			or counterclaim on reverse side of ppropriate filing fee). I do not owe to		
The ord	Plaintiff(s) owe(s) me ered to return property,	\$, wh perform a contract or se	erclaim, pay the appropriate filing feo nich includes penalties, plus interest it aside a contract or comply with a re property being requested).	and costs allowed	
I de	The amount of my/ou amount that I/we wis The amount of my/ou case sent to □Coun Court (I /we do not wam/are filing a Notice an attorney. □Notice an author of the count of the	Ir counterclaim exceeds h to recover from the Plur counterclaim exceeds ty Court (only if I/we wish to limit the amount I/e of Removal and paying ✓es □No	the jurisdictional amount of the Smath to limit the amount I/we can recover we can recover from the Plaintiff(s)) go the appropriate filing fee to the Coution is true and correct and that I mathematical files.	all Claims Court, but all Claims Court, ar r from the plaintiff t and will pay the ap urt at this time.	at I/we wish to limit the and I/we wish to have the \$25,000.00) ☐District propriate filing fee. I/we
			Defendant's Address		
Defe	endant's Signature	Date	Telephone #: Home	Work	Cell
A. B.	♦ If Plaintiff's claim	nterclaim: ess: \$26.00 rclaim: is \$500.00 or less and co is more than \$500.00 or c	or Defendants in Small Claims  ◆ Claim over \$500.00 but less the counterclaim is \$500.00 or less: counterclaim is more than \$500.00: as. If you fail to appear on the trial date:	nan \$7,500.00: \$41.0	\$31.00 \$46.00

- against you. If you wish to defend the claim or present a counterclaim, you must file with the Court Clerk a written response or counterclaim on or before the scheduled trial date, provide a copy to the Plaintiff(s), pay the appropriate nonrefundable filing fee, and appear on the date set for trial in this notice with all evidence and witnesses needed to establish your defense.
- C. Subpoenas. Upon your request, the clerk will issue a subpoena to require witnesses to appear or bring documents for your trial. It is your responsibility to complete the information needed on the subpoena and to have the subpoena served. Subpoenas must be served personally and may be served by a person over the age of 18 that is not a party to the case. Subpoenas must be accompanied by a check for payment of witness fees and mileage for any witnesses served.
- D. Counterclaim. If you have a claim against the Plaintiff(s), you must file with the Court clerk the Defendant's counterclaim at the top of this form, provide a copy of the counterclaim to the Plaintiff(s) prior to the trial, and pay the appropriate nonrefundable filing fee. If you settle your counterclaim before trial, notify the Small Claims Court and the Plaintiff(s) in writing. If you want your case heard by a Court of greater jurisdiction, you must complete and file this form, pay the appropriate filing fee (County: Under \$999.99 = \$85.00; \$1,000 \$14,999.99 = \$105.00; \$15,000.00 \$25,000 = \$135.00. District: \$235.00) and file a Notice of Removal (JDF 251) at least 7 days before the trial date shown on this Notice.
- E. Trial Responsibility. You have a right to a trial. Bring all evidence necessary to establish your defense and/or counterclaim: books, papers, repair bills, photographs or other exhibits. If the suit involves the delivery of personal property, be prepared to deliver the property immediately after trial. Be on time. If you are late, the Court may enter judgment against you.
- F. Appeal. If you wish to appeal, you must file your notice of appeal within 14 days of the judgment and proceed according to C.R.C.P 411.
- G. Judgment. The Court does not collect any judgment, but will help with the necessary forms.

  Money Judgment. If judgment is entered against you, you are expected to immediately pay the judgment, including filing fees and court costs. If the judgment is not paid immediately, you must answer questions about your assets and income and the other party can obtain a writ of garnishment or execution against your wages or property. Once the judgment is paid, you are entitled to have the judgment satisfied.

  Non-monetary Judgment. If the Court orders immediate possession of the property, performance of a contract, setting aside of a contract or compliance with a restrictive covenant, your failure to comply with the Court order may result in an award of damages and/or being held in contempt.
- H. Case Inquiries. When inquiring about this case, refer to the case number on this notice. Direct all inquiries to the clerk, not the judge or magistrate.
- I. Attorney. If you want to be represented by an attorney, you or your attorney must file a Notice of Representation of Attorney (JDF 256) at least 7 days before the trial date on this notice. Then the Plaintiff(s) may have representation by an attorney. If the Plaintiff(s) is/are an attorney, you also may be represented by an attorney without filing a notice of representation. Even if there are attorneys in the case, the rules and procedures of the Small Claims Court will still apply.
- J. Judicial Officer. A magistrate or a judge may hear your case. If you want a judge to hear your case, you must file an Objection to a Magistrate Hearing Case (JDF 259) at least 7 days before the trial date set in this notice. The rules and procedures of the Small Claims Court will still apply.
- K. Language Interpreter. If you or a witness requires a language interpreter to be present for hearings, you must contact the Managing Interpreter corresponding to the district in which the case will be heard at least 7 days before the trial date is set on this notice. A language interpreter may only interpret what is said between parties during a hearing and immediately prior to or after the hearing. A language interpreter may not provide legal advice or any other service that is not related to interpreting. Interpreters may not provide any services that may constitute a violation of the language interpreter's Code of Professional Responsibility. A current list of Managing Interpreters can be viewed at <a href="http://www.courts.state.co.us/Administration/Custom.cfm?Unit=interp&Page ID=117">http://www.courts.state.co.us/Administration/Custom.cfm?Unit=interp&Page ID=117</a>.

Small Claims Court		County, Colorado		
Court Address:				
PLAINTIFF(S):				
		Cell		
v. DEFENDANT(1):				OURT USE ONLY
		Cell		
DEFENDANT(2):				S
		Cell		Courtroom
		UMMONS TO APPE		(Dart 2)
The Defendant(s) resists a student in this count covenant or security of a life in this Notice by a person trial and to provide the life in an attorney: □Y  To the Defendant(s): You are scheduled to hat the Court address sestablish your defense.	de(s), is/are regularly ty, or real property lo deposit dispute.   Ye it is my/our responsi on whose age is 18 ye e Court with written p es   Notice an nave your trial in this of tated in the above ca	ibility to have each Defer ears or older and who is roof of service.   The service of the servic	office for the transace subject of claim(s) and ant served with the not a party to this action of the transaction of the transa	arising from a restrictive arising from a restrictive ne "Defendant's Copy" of ction 15 days prior to the (time) I witnesses you need to J. If you wish to defend
scheduled trial date and	d pay a <b>nonrefundal</b>		ırt/Deputy Clerk	terclaim on or before the
The Defendant(s) owe(s) and/or should be ordered	me \$to return property, p	, which includes penal perform a contract or set preturn of property, pleas	ties, plus interest a aside a contract or	
/we declare under penalty	y of perjury under the Court in this County m	fic performance or cost to ren e law of Colorado that the nore than 2 claims during t	foregoing is true a	nd correct. I/we have not
Dated:				
			G 0:	
		Plaintiff	f's Signature	

#### INFORMATION FOR PLAINTIFFS IN SMALL CLAIMS CASES

- A. FILING. You may file your claim in this Court if:
  - 1. Your claim is for money, property, specific performance or rescission of a contract, or enforcement of a restrictive covenant that does not exceed \$7,500.00. You may reduce a larger claim and waive the balance. You cannot divide a claim and file two separate cases.
  - 2. At least one of the parties you sue resides, is regularly employed, has an office for the transaction of business, or is a student in this county, or they own rental property in the county that is the subject of this claim.
  - 3. You pay the clerk one of the following **NONREFUNDABLE** filing fees.
    - ♦ Claim \$500.00 or less:

\$31.00

• Claim over \$500.00 but less no more than \$7,500.00:

\$55.00

- **B. SERVICE.** This notice to appear must be served at least 15 days prior to the trial on each Defendant. It may be served by:
  - 1. Any person whose age is 18 years or older and who is not a party to this action.
  - 2. Sheriff or process server.
  - 3. Certified Mail that is mailed by the clerk. You must deposit the cost for certified mail in advance.
- C. SETTLEMENT. If you settle your claim before trial, you must notify the Small Claims Court and Defendant in writing.
- **D. SUBPOENAS**. Upon your request, the clerk will issue a subpoena to require witnesses to appear or bring documents for your trial. It is your responsibility to complete the information needed on the subpoena and to have the subpoena served. Subpoenas must be served personally and may be served by a person over the age of 18 that is not a party to the case. Subpoenas must be accompanied by a check for payment of witness fees and mileage for any witnesses served.
- **E. TRIAL RESPONSIBILITY**. You have a right to a trial. Bring all evidence necessary to prove your case: books, papers, repair bills, photographs or other exhibits. Be on time. If you are late or do not appear, the Court may enter judgment in favor of the Defendant and against you if the Defendant filed a counterclaim.
- F. APPEAL. If you wish to appeal, you must file your notice of appeal within 14 days of the judgment and proceed according to C.R.C.P. 411.
- G. JUDGMENT. THE COURT DOES NOT COLLECT ANY JUDGMENT, but will help with the necessary forms.
  Money Judgment. If judgment is entered in favor of the Defendant and against you, you are expected to immediately pay the judgment, including filing fees and court costs. If the judgment is not paid immediately, you must answer questions about your assets and income and the other party can obtain a writ of garnishment or execution against your wages or property. Once the judgment is paid, you are entitled to have the judgment satisfied.
  Non-monetary Judgment. If the Court orders immediate possession of the property performance of a contract setting.
  - **Non-monetary Judgment.** If the Court orders immediate possession of the property, performance of a contract, setting aside of a contract or compliance with a restrictive covenant, failure to comply with the Court order may result in an award of damages and or being held in contempt.
- **H. CASE INQUIRIES.** When inquiring about this case, refer to the case number on the other side of this document. Direct all inquiries to the clerk, not the judge or magistrate.
- I. ATTORNEY. If the Defendant(s) want(s) to be represented by an attorney, the Defendant(s) or attorney must file a Notice of Representation of Attorney (JDF 256) at least 7 days before the trial date on this notice. Then, you may have representation by an attorney. If either party is an attorney, the other party may be represented by an attorney without filing a notice of representation. Even if there are attorneys in the case, the rules and procedures of the Small Claims Court will still apply.
- J. JUDICIAL OFFICER. A magistrate or judge may hear your case. If you want a judge to hear your case, you must file an Objection to a Magistrate Hearing Case (JDF 259) at least 7 days before the trial date set in this notice. The rules and procedures of the Small Claims Court will still apply.
- K. Language Interpreter. If you or a witness requires a language interpreter to be present for hearings, you must contact the Managing Interpreter corresponding to the district in which the case will be heard at least 7 days before the trial date is set on this notice. A language interpreter may only interpret what is said between parties during a hearing and immediately prior to or after the hearing. A language interpreter may not provide legal advice or any other service that is not related to interpreting. Interpreters may not provide any services that may constitute a violation of the language interpreter's Code of Professional Responsibility. A current list of Managing Interpreters can be viewed at: <a href="http://www.courts.state.co.us/Administration/Custom.cfm?Unit=interp&Page ID=117">http://www.courts.state.co.us/Administration/Custom.cfm?Unit=interp&Page ID=117</a>.

PLAINTIFF(S): Address: City/State/Zip:				
Address:City/State/Zip:				
Address:City/State/Zip:				
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v. DEFENDANT(1):			A 00	NUDT LIGE ONLY
				OURT USE ONLY
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				S
		Cell		Courtroom
		JMMONS TO APPEAI		(Dart 1)
ddress:		address of the agent. Note:   Ce:   Yes   No   Unknown		
covenant or security dep I/We understand that it in this Notice by a person we	oosit dispute. <b>Ye</b> is my/our responsit whose age is 18 ye Court with written pr	cated in this county is the sines   No calcidity to have each Defendate are or older and who is not coof of service.   Yes   No	ant served with that a	ne "Defendant's Copy" o
Tam an atterney.		d Summons to Appear fo	r Trial	
To the Defendant(s):		• •		
establish your defense. It the claim or present a couscheduled trial date and p	ed in the above ca  If you do not appe  Interclaim, you mus  pay a nonrefundab	aption. Bring with you all be ear, judgment may be ente st provide a written respons	ooks, papers and ered against you	<ol> <li>If you wish to defend</li> </ol>
Dated:		Clerk of Court/E	enuty Clerk	
		ns to support your claim	below.)	
ne Defendant(s) owe(s) me sould be ordered to return pr	\$operty, perform a co return of property, p	, which includes penalties, pl intract or set aside a contract please describe the property	us interest and co or comply with a r being requested).	sts allowed by law, and/o restrictive covenant for the
llowing reasons. (If seeking				
llowing reasons. (If seeking				
ote: The combined value of move declare under penalty o	of perjury under the urt in this County mo	ic performance or cost to remed law of Colorado that the fo ore than 2 claims during this	regoing is true a	nd correct. I/we have no
ote: The combined value of move declare under penalty ced in any Small Claims Cou	of perjury under the urt in this County mo ar year.	law of Colorado that the fo	regoing is true al calendar month	nd correct. I/we have no

Case Name	v	Case Number:	
	AFFIDAVIT OF S (Must be returned to		
	•	a party to the action, and that I ser	ved the <i>Notice</i>
Name of Person Served	Date and Time of Service	Address of Service (Street, County, City,	
	to a person identified to me as the	ne Defendant. erson identified to me as the Defend	ant who refused
service, and then leaving th	e documents in a conspicuous p	place.	
By leaving the documents a Person) who is a member	at the Defendant's usual place of front of the Defendant's family and	of abode with d whose age is 18 years or older.	(Name of (Identify family)
relationship)	)		
By leaving the documents a Person) who is the Defenda of person served.)	at the Defendant's usual workpl ant's secretary, administrative as	ace withsistant, bookkeeper, or managing ag	(Name o gent. (Circle title
By leaving the documents v	vith (l	Name of Person), who as	(title
■ By leaving the documents w pursuant to C.R.C.P. 304 which was to be served. (Ci	rcle title of person who was serv	, stockholder, elected official or functures identify) of the corporation or non-	-corporate entity
<ul> <li>have charged the following fees for</li> <li>□ Private process server</li> <li>□ Sheriff,</li></ul>	•	Signature of Process Server	
		Name (Print or type)	
	sworn to before me in the day of, 20	County of	, State o
My Commission Expires:		Notary Public	
	CERTIFICATE OF SERVIOR (To be performed by Clerk within	_	
		ed a true and correct copy of the <b>NOTI</b> States Mail, postage pre-paid to the De	
		Clark of Count/Demots Ole 1	
		Clerk of Court/Deputy Clerk	
		Clerk's Initials	
JDF 250 <del>-SC</del> R1 <del>-22<u>24</u> (PART 4/ PAGE</del>	(7) NOTICE, CLAIM AN	ND SUMMONS TO APPEAR FOR TRIAL	COURT

□County Court □D	istrict Court			
a County Court and		, Colorado		
Court Address:	•	•		
Plaintiff(s)/Petitioner(s	s):			
V.				
Defendant(s)/Respon	dent(s):		<b>▲</b> co	OURT USE ONLY
Judgment Creditor's Att	orney or Judgment Cre	editor (Name and Address):	Case Number	er:
Phone Number: FAX Number:		mail: y. Reg. #:	Division	Courtroom
Wri	t of Garnishment	with Notice of Exempt	ion and Pendin	g Levy
C.R.S.		ney and is not a licensed collect		
	n Judgment (currently g estimated cost of ser Amount Due and Owir m acknowledging I am	rvice of this Writ)	num) hanging anything els	
		Verification		
declare under penalty of p ne Judgment Creditor.	perjury under the law o	f Colorado that the foregoing	is true and correct a	nd I am authorized to act fo
rinted name of Judgment	Creditor			
Address	City	S	State	Zip Code
Executed on thed	ay of (month)	,, at(city or ot	her location, and sta	ate OR country)
Printed name of Authorized	d Party	Signature of Authoriz	zed Party (Title and	Phone No.)
Address <b>W</b>	City /rit of Garnishment	Sta with Notice of Exemption		Zip Code
THE PEOPLE OF THE ST who is not a party to this ac ou are directed to serve a	ction:	to the Sheriff of any Colorado	County, or to any բ	person 18 years or older and , Garnishee

with proper return of service to be made to the Court.

#### To The Garnishee:

You are hereby summoned as garnishee in this action and ordered:

a. To answer the following questions under oath and file your answers with the Clerk of the Court (AND to mail a completed copy with your answers to the Judgment Creditor or attorney when a stamped envelope is attached) within 14 days following service of this Writ upon you.

Your failure to answer this writ with notice may result in the entry of a default against you.

**b.** To hold pending court order the personal property of any kind (other than earnings of a natural person) in your possession or control, including the debts, credits, choses in action or money owed to the Judgment Debtor whether they are due at the time of the service of the writ or are to become due thereafter.

#### You Are Notified:

- **a.** This Writ with Notice applies to all personal property (other than earnings) owed to or owned by the Judgment Debtor and in your possession or control as of the date and time this Writ was served upon you.
- **b.** In no case may you withhold any personal property greater than the amount on Line 5 on the front of this Writ unless the personal property is incapable of being divided.
- c. After you file your answers to the following questions, and after receiving a separate notice or order from the court, make checks payable and mail to: The Judgment Creditor named above (May select only if the Judgment Creditor is a licensed collection agency pursuant to 5-16-101, et. seq., C.R.S.); ☐the Judgment Creditor's Attorney (if applicable); or to the □Clerk of the □County Court or □District Court in (city), Colorado (Must select if the Judgment Creditor is not represented by an attorney AND is not a licensed collection agency pursuant to 5-16-101, et. seq., C.R.S.) at the address below: Name: Address: Please Put the Case Number (Above) on the Front of the Check. CLERK OF THE COURT By Deputy Clerk: Date: **Questions to be Answered by Garnishee** Judgment Debtor's Name: Case Number: The following guestions MUST be answered by you under oath: a. On the date and time this Writ was served upon you, did you possess or control any personal property of the Judgment Debtor or did you owe any rents, payments, obligations, debts or moneys other than earnings to the Judgment Debtor? **□**YES b. If YES, list all items of personal property and their location(s) and/or describe the nature and amount of the debt or obligation: (Attach additional pages if necessary): **c**. Do you claim any setoff against any property, debt or obligation listed above? d. If you answered YES to question c, describe the nature and amount of the setoff claimed: (Attach additional pages if necessary): Verification I declare under penalty of perjury under the law of Colorado that I am authorized to act for the Garnishee and the foregoing is true and correct. Name of Garnishee (Print) date) day of \_\_\_\_\_, (year) (city or other location, and state OR country) (Printed name of Person Answering) Signature of Person Answering

#### **Notice to Judgment Debtor of Exemption and Pending Levy**

This Writ with Notice is a Court order which may cause your property or money to be held and taken to pay a judgment entered against you. You have legal rights which may prevent all or part of your money or property from being taken. That part of the money or property which may not be taken is called "exempt property". A partial list of "exempt property" is shown below, along

with the law which may make all or part of your money or property exempt. The purpose of this notice is to tell you about these rights.

#### **Partial List of Exempt Property**

- 1. All or part of your property listed in Sections 13-54-101 and 102, C.R.S., including clothing, jewelry, books, burial sites, household goods, food and fuel, farm animals, seed, tools, equipment and implements, military allowances, stock-in-trade and certain items used in your occupation, bicycles, motor vehicles (greater for disabled persons), life insurance, income tax refunds, attributed to an earned income tax credit or child tax credit, money received because of loss of property or for personal injury, equipment that you need because of your health, or money received because you were a victim of a crime.
- 2. All or part of your earnings under Section 13-54-104, C.R.S.
- 3. Worker's compensation benefits under Section 8-42-124, C.R.S.
- 4. Unemployment compensation benefits under Section 8-80-103, C.R.S.
- 5. Group life insurance benefits under Section 10-7-205, C.R.S.
- 6. Health insurance benefits under Section 10-16-212, C.R.S.
- 7. Fraternal society benefits under Section 10-14-403, C.R.S.
- 8. Family allowances under Section 15-11-404, C.R.S.
- 9. Teachers' retirement fund benefits under Section 22-64-120, C.R.S.
- 10. Public employees' retirement benefits (PERA) under Sections 24-51-212 and 24-54-111, C.R.S.
- 11. Social Security benefits (OASDI, SSI) under 42 U.S.C. §407.
- 12. Railroad employee retirement benefits under 45 U.S.C. §231m.
- 13. Public assistance benefits (OAP, AFDC, TANF, AND, AB, LEAP) under Section 26-2-131, C.R.S.
- 14. Police Officer's and Firefighter's pension fund payments under Sections 31-30-1117 & 31-30.5-208 and 31-31-203, C.R.S.
- 15. Utility and security deposits under Section 13-54-102(1)(r), C.R.S.
- 16. Proceeds of the sale of homestead property under Section 38-41-207, C.R.S.
- 17. Veteran's Administration benefits under 38 U.S.C. §5301.
- 18. Civil service retirement benefits under 5 U.S.C. §8346.
- 19. Mobile homes and trailers under Section 38-41-201.6, C.R.S.
- 20. Certain retirement and pension funds and benefits under Section 13-54-102(1)(s), C.R.S.
- 21. A Court-ordered child support or maintenance obligation or payment under Section 13-54-102(1)(u), C.R.S.
- 22. Public or private disability benefits under Section 13-54-102(1)(v), C.R.S.
- 23. Up to two thousand five hundred dollars cumulative in a depository account or accounts in the name of the debtor under Section 13-54-102, C.R.S.

If the money or property which is being withheld from you includes any "exempt property," you must file within 14 days of receiving this notice a written Claim of Exemption with the Clerk of the Court describing what money or property you think is "exempt property" and the reason that it is exempt. YOU MUST USE THE APPROVED FORM attached to this Writ or a copy of it. When you file the claim, you must immediately deliver, by certified mail, return receipt requested, a copy of your claim to the Garnishee (person/place that was garnished) and to the Judgment Creditor's attorney, or if none, to the Judgment Creditor at the address shown on this Writ with Notice. Notwithstanding your right to claim the property as "exempt," no exemption other than the exemptions set forth in Section 13-54-104(3), C.R.S., may be claimed for a Writ which is the result of a judgment taken for arrearages for child support or for child support debt.

Once you have properly filed your claim, the court will schedule a hearing within 14 days. The Clerk of the Court will notify you and the Judgment Creditor or attorney of the date and time of the hearing, by telephone, by mail or in person.

When you come to your hearing, you should be ready to explain why you believe your money or property is "exempt property". If you do not appear at the scheduled time, your money or property may be taken by the Court to pay the judgment entered against you.

**Remember** that this is only a partial list of "exempt property"; you may wish to consult with a lawyer who can advise you of your rights. If you cannot afford one, there are listings of legal assistance and legal aid offices in the yellow pages of the telephone book.

You must act quickly to protect your rights. Remember, you only have 14 days after receiving this notice to file your claim of exemption with the Clerk of the Court.

☐ County Court ☐ District Court		
Court Address:	_County, Colorado	
Plaintiff(s)/Petitioner(s):		_
V.		
Defendant(s)/Respondent(s):	<b>4</b>	COURT USE ONLY
Judgment Debtor's Attorney or Judg	gment Debtor (Name and Address):	Case Number:
Phone Number:	E-mail:	District Country on
FAX Number:	Atty. Reg. #: MPTION TO WRIT OF GARNISH	Division Courtroom  MENT WITH NOTICE
nstruction to Judgment Debtor: Use	e this form to claim your property is	s exempt from Garnishment.
lame:	Pho	one Number
Street Address:		
Mailing Address, if different:		
City:	State:	Zip Code:
believe the following property is ex	cempt:	
Description of Property Being Held:		
/alue of Property Being Held:	\$	
Amount of Value I Claim is Exempt:	\$	
claim the Property is Exempt because	• (Please write the Exemption(s) listed in the	he Writ of Garnishment with Notice, if applicable):
f there is more than one account in which p	roperty is being held, please include the	ose in the lines above or on a separate sheet).
By checking this box, I am acknowledg	ing I am filling in the blanks and not ch	nanging anything else on the form.
By checking this box, I am acknowledg	ing that I have made a change to the o	original content of this form.
☐ certified mail (return receipt request	ed) $\square$ or by E-Service to both the (ited by Counsel, $\square$ certified mail (r	and that I sent a copy of this document by Garnishee and to the Judgment Creditor, eturn receipt requested) to the Judgment
he person/place that was garnished	Judgment Credito	or or Attorney
address:	Address:	
Subscribed under affirmation or oath efore me on(of the commission expires:	date) Signature of Judgme Judgment Debtor's C	ent Debtor or Counsel and Reg. Number
Notary Public/Deputy Clerk		

Small Claims Court		County, Colorado		
Court Address:		,		
PLAINTIFF(S):				
		Cell		
∨. <b>DEFENDANT(1):</b>			_	OURT USE ONLY
		Cell		
DEFENDANT(2):				5
Address:				
City/State/Zip:				
Phone: Home	Work	Cell	Division	Courtroom
NOTICE	, CLAIM AND S	UMMONS TO APPEA	R FOR TRIAL	(Part 1)
		on-line at <u>www.colorados</u> nd address of the agent. I		
this Notice by a persor trial and to provide the I am an attorney:   To the Defendant(s): You are scheduled to hat the Court address state	n whose age is 18 ye Court with written positive are  Notice are  ave your trial in this ced in the above cap	bility to have each Defence ears or older and who is no roof of service.   The service of the se	or Trial  (date)	at(time) at witnesses you need to
	ounterclaim, you mu	ear, judgment may be en st provide a written respon ble filing fee.		
Dated:		Clark of Cause	/Deputy Clerk	<del></del>
		ons to support your clain , which includes penaltic	n below.)	
nd/or should be ordered	to return property, p	return of property, please	side a contract or	comply with a restrictive
we declare under penalty	of perjury under the ourt in this County m	performance or cost to remed law of Colorado that the force than 2 claims during the	oregoing is true a	nd correct. I/we have not
ated:				
		Plaintiff's	Signature	
		Plaintiff's	Signature	· · · · · · · · · · · · · · · · · · ·

Small Claims Court Court Address:		County, Colora	do		
DI AINTIEE(O):					
PLAINTIFF(S):					
City/State/Zip:					
Phone: Home					
V.					
DEFENDANT(1):				▲ cou	JRT USE ONLY
City/State/Zip:			1 C	ase Numbe	r:
Phone: Home					
DEFENDANT(2):					9
Address:					3
City/State/Zip:					
Phone: Home				ivision	Courtroom
NOTIC	E, CLAIM AND S	UMMONS TO AF			
Defendant(s) is/are oth ervice of this notice. Pladdress: The Defendant(s) is/s	ease enter name and	d address of the age	ent. Name:		
<ul><li>a student in this cour covenant or security</li><li>J/We understand tha this Notice by a pers</li></ul>	nty, or real property lood deposit dispute.  Ye ti is my/our responsition whose age is 18 years Court with written profes  No	cated in this county	s the subject of Defendant serve o is not a party s □No	claim(s) and the	on of business, or is/are rising from a restrictive "Defendant's Copy" of on 15 days prior to the
You are scheduled to at the Court address	stated in the above ca e. If you do not appe counterclaim, you mus	aption. Bring with yo ear, judgment may st provide a written ro	u all books, pa <b>be entered ag</b> a	pers and w ainst you.	) at (time) vitnesses you need to If you wish to defend relaim on or before the
Dated:					
Plaintiff(s)'s Claim (Pleathe Defendant(s) owe(s) make ordered to return proper easons. (If seeking return	e\$, \ ty, perform a contract o	ons to support your which includes penaltie r set aside a contract	s, plus interest an or comply with a		
Note: The combined value of we declare under penal led in any Small Claims In this County in this cale	ty of perjury under the Court in this County m ndar year.	law of Colorado tha	t the foregoing	is true and	I correct. I/we have not
Dated:		P	laintiff's Signature		
		P	laintiff's Signature		

Def	You must complete and fill out a response and or counterclaim on reverse side of Defendant's copy and bring to Court. Defendant's Response (If responding, pay the appropriate filing fee). I do not owe the Plaintiff(s) or am not responsible to the Plaintiff(s) because:							
The ord	fendant's Counterclaim Plaintiff(s) owe(s) me \$_ ered to return property, pe eeking return of property	, w erform a contract or se	hich includes penaltie et aside a contract or c	s, plus interes omply with a r	t and costs allowed	by law and/or should be or the following reasons.		
l de	case sent to ☐County Court (I /we do not wish am/are filing a Notice of	counterclaim exceeds to recover from the P counterclaim exceeds Court (only if I/we wish to limit the amount lof Removal and payins □No erjury that this information recovery.	s the jurisdictional amore laintiff to \$7,500.00. It is the jurisdictional amount laint to limit the amount lail we can recover from the appropriate filing ation is true and correctional.	ount of the Sm ount of the Sm we can recove the Plaintiff(s) I fee to the Co ct and that I m	nall Claims Court, but nall Claims Court, an er from the plaintiff to ) and will pay the ap purt at this time.	at I/we wish to limit the and I/we wish to have the \$25,000.00) ☐District propriate filing fee. I/we		
			Defendant's	Address				
Def	endant's Signature	Date	Telephone #:	Home	Work	Cell		
Α.	Filing Fees.	Information	for Defendants in S	Small Claim	s Cases			
Λ.	Response without a counter  Claim \$500.00 or les Response with a countercl  If Plaintiff's claim is	s: \$26.00 aim: \$500.00 or less and co	♦ Claim over \$5 ounterclaim is \$500.00 o	or less:	than \$7,500.00: \$41.0	\$31.00 \$46.00		
В.	Response. You have been against you. If you wish to	n served with a Summo to defend the claim or	ons. If you fail to appear or present a counterclaim	on the trial date you must <b>file</b>	with the Court Clei	judgment may be entered rk a written response or nrefundable filing fee, and		

- appear on the date set for trial in this notice with all evidence and witnesses needed to establish your defense.
- C. Subpoenas. Upon your request, the clerk will issue a subpoena to require witnesses to appear or bring documents for your trial. It is your responsibility to complete the information needed on the subpoena and to have the subpoena served. Subpoenas must be served personally and may be served by a person over the age of 18 that is not a party to the case. Subpoenas must be accompanied by a check for payment of witness fees and mileage for any witnesses served.
- Counterclaim. If you have a claim against the Plaintiff(s), you must file with the Court clerk the Defendant's counterclaim at the top of this form, provide a copy of the counterclaim to the Plaintiff(s) prior to the trial, and pay the appropriate nonrefundable filing fee. If you settle your counterclaim before trial, notify the Small Claims Court and the Plaintiff(s) in writing. If you want your case heard by a Court of greater jurisdiction, you must complete and file this form, pay the appropriate filing fee (County: Under \$999.99 = \$85.00; \$1,000 -\$14,999.99= \$105.00; \$15,000.00 - \$25,000 = \$135.00. District: \$235.00) and file a Notice of Removal (JDF 251) at least 7 days before the trial date shown on this Notice.
- Trial Responsibility. You have a right to a trial. Bring all evidence necessary to establish your defense and/or counterclaim: books, papers, repair bills, photographs or other exhibits. If the suit involves the delivery of personal property, be prepared to deliver the property immediately after trial. Be on time. If you are late, the Court may enter judgment against you.
- Appeal. If you wish to appeal, you must file your notice of appeal within 14 days of the judgment and proceed according to C.R.C.P 411.
- Judgment. The Court does not collect any judgment, but will help with the necessary forms. Money Judgment. If judgment is entered against you, you are expected to immediately pay the judgment, including filing fees and court costs. If the judgment is not paid immediately, you must answer questions about your assets and income and the other party can obtain a writ of garnishment or execution against your wages or property. Once the judgment is paid, you are entitled to have the judgment satisfied. Non-monetary Judgment. If the Court orders immediate possession of the property, performance of a contract, setting aside of a contract or compliance with a restrictive covenant, your failure to comply with the Court order may result in an award of damages and/or being held in contempt.
- Case Inquiries. When inquiring about this case, refer to the case number on this notice. Direct all inquiries to the clerk, not the judge or
- Attorney. If you want to be represented by an attorney, you or your attorney must file a Notice of Representation of Attorney (JDF 256) at least 7 days before the trial date on this notice. Then the Plaintiff(s) may have representation by an attorney. If the Plaintiff(s) is/are an attorney, you also may be represented by an attorney without filing a notice of representation. Even if there are attorneys in the case, the rules and procedures of the Small Claims Court will still apply.
- Judicial Officer. A magistrate or a judge may hear your case. If you want a judge to hear your case, you must file an Objection to a Magistrate Hearing Case (JDF 259) at least 7 days before the trial date set in this notice. The rules and procedures of the Small Claims Court
- Language Interpreter. If you or a witness requires a language interpreter to be present for hearings, you must contact the Managing Interpreter corresponding to the district in which the case will be heard at least 7 days before the trial date is set on this notice. A language interpreter may only interpret what is said between parties during a hearing and immediately prior to or after the hearing. A language interpreter may not provide legal advice or any other service that is not related to interpreting. Interpreters may not provide any services that may constitute a violation of the language interpreter's Code of Professional Responsibility. A current list of Managing Interpreters can be viewed at http://www.courts.state.co.us/Administration/Custom.cfm?Unit=interp&Page ID=117.

Small Claims Court		County, Colora	ado	
Court Address:				
PLAINTIFF(S):				
Address:				
City/State/Zip:				
Phone: Home				
v. DEFENDANT(1):				COURT USE ONLY
Address:			_	Number:
City/State/Zip:				
Phone: Home				
DEFENDANT(2):				S
Address:				
City/State/Zip:				
Phone: Home				on Courtroom
	E, CLAIM AND S			RIAI (Part 3)
				ermine the registered agent for
	n whose age is 18 ye Court with written pres <b>□No</b>	ears or older and who	o is not a party to es □No	with the "Defendant's Copy" of this action 15 days prior to the
To the Defendant(e):	Notice ar	nd Summons to Ap	pear for Trial	
establish your defense. the claim or present a co scheduled trial date and	ated in the above ca  If you do not appeounterclaim, you must pay a nonrefundate	aption. Bring with yo ear, judgment may st provide a written r	ou all books, pape be entered again	(time) rs and witnesses you need to st you. If you wish to defend a counterclaim on or before the
Dated:	<u></u>	Clerk	of Court/Deputy Clerk	
laintiff(s)'s Claim (Pleas		ons to support you	r claim below.)	
The Defendant(s) owe(s) ind/or should be ordered ovenant for the following	me \$ to return property, p reasons. (If seeking	, which includes perform a contract or return of property, p	penalties, plus inte set aside a contra please describe the	rest and costs allowed by law, act or comply with a restrictive property being requested).
we declare under penalty	of perjury under the ourt in this County m	law of Colorado that	at the foregoing is	t violation cannot exceed \$7,500.00. true and correct. I/we have not month, nor more than 18 claims
rated:	•			
u.ou.			Plaintiff's Signature	
		F	Plaintiff's Signature	

#### INFORMATION FOR PLAINTIFFS IN SMALL CLAIMS CASES

- A. FILING. You may file your claim in this Court if:
  - 1. Your claim is for money, property, specific performance or rescission of a contract, or enforcement of a restrictive covenant that does not exceed \$7,500.00. You may reduce a larger claim and waive the balance. You cannot divide a claim and file two separate cases.
  - 2. At least one of the parties you sue resides, is regularly employed, has an office for the transaction of business, or is a student in this county, or they own rental property in the county that is the subject of this claim.
  - 3. You pay the clerk one of the following **NONREFUNDABLE** filing fees.

Claim \$500.00 or less: \$31.00
 Claim over \$500.00 but no more than \$7,500.00: \$55.00

- **B. SERVICE.** This notice to appear must be served at least 15 days prior to the trial on each Defendant. It may be served by:
  - 1. Any person whose age is 18 years or older and who is not a party to this action.
  - 2. Sheriff or process server.
  - 3. Certified Mail that is mailed by the clerk. You must deposit the cost for certified mail in advance.
- C. SETTLEMENT. If you settle your claim before trial, you must notify the Small Claims Court and Defendant in writing.
- **D. SUBPOENAS**. Upon your request, the clerk will issue a subpoena to require witnesses to appear or bring documents for your trial. It is your responsibility to complete the information needed on the subpoena and to have the subpoena served. Subpoenas must be served personally and may be served by a person over the age of 18 that is not a party to the case. Subpoenas must be accompanied by a check for payment of witness fees and mileage for any witnesses served.
- **E. TRIAL RESPONSIBILITY**. You have a right to a trial. Bring all evidence necessary to prove your case: books, papers, repair bills, photographs or other exhibits. Be on time. If you are late or do not appear, the Court may enter judgment in favor of the Defendant and against you if the Defendant filed a counterclaim.
- F. APPEAL. If you wish to appeal, you must file your notice of appeal within 14 days of the judgment and proceed according to C.R.C.P. 411.
- G. JUDGMENT. THE COURT DOES NOT COLLECT ANY JUDGMENT, but will help with the necessary forms. Money Judgment. If judgment is entered in favor of the Defendant and against you, you are expected to immediately pay the judgment, including filing fees and court costs. If the judgment is not paid immediately, you must answer questions about your assets and income and the other party can obtain a writ of garnishment or execution against your wages or property. Once the judgment is paid, you are entitled to have the judgment satisfied.

**Non-monetary Judgment.** If the Court orders immediate possession of the property, performance of a contract, setting aside of a contract or compliance with a restrictive covenant, failure to comply with the Court order may result in an award of damages and or being held in contempt.

- **H. CASE INQUIRIES.** When inquiring about this case, refer to the case number on the other side of this document. Direct all inquiries to the clerk, not the judge or magistrate.
- I. ATTORNEY. If the Defendant(s) want(s) to be represented by an attorney, the Defendant(s) or attorney must file a Notice of Representation of Attorney (JDF 256) at least 7 days before the trial date on this notice. Then, you may have representation by an attorney. If either party is an attorney, the other party may be represented by an attorney without filing a notice of representation. Even if there are attorneys in the case, the rules and procedures of the Small Claims Court will still apply.
- J. JUDICIAL OFFICER. A magistrate or judge may hear your case. If you want a judge to hear your case, you must file an Objection to a Magistrate Hearing Case (JDF 259) at least 7 days before the trial date set in this notice. The rules and procedures of the Small Claims Court will still apply.
- K. Language Interpreter. If you or a witness requires a language interpreter to be present for hearings, you must contact the Managing Interpreter corresponding to the district in which the case will be heard at least 7 days before the trial date is set on this notice. A language interpreter may only interpret what is said between parties during a hearing and immediately prior to or after the hearing. A language interpreter may not provide legal advice or any other service that is not related to interpreting. Interpreters may not provide any services that may constitute a violation of the language interpreter's Code of Professional Responsibility. A current list of Managing Interpreters can be viewed at: <a href="http://www.courts.state.co.us/Administration/Custom.cfm?Unit=interp&Page ID=117">http://www.courts.state.co.us/Administration/Custom.cfm?Unit=interp&Page ID=117</a>.

Small Claims Court Court Address:		County, Colorado		
PLAINTIFF(S):				
Address:				
City/State/Zip:				
Phone: Home				
v. DEFENDANT(1):				OURT USE ONLY
Address:				
City/State/Zip:				
Phone: Home				
DEFENDANT(2):				5
Address:				
City/State/Zip:				
Phone: Home	Work	Cell	Division	Courtroom
NOTICE	, CLAIM AND SI	JMMONS TO APP	EAR FOR TRIAL	. (Part 4)
Defendant(s) is/are other ervice of this notice. Pleaddress:  The Defendant(s) is/are	ase enter name and	address of the agent	Name:	
trial and to provide the I am an attorney: □Ye  To the Defendant(s): You are scheduled to ha at the Court address st establish your defense.	Notice and average is 18 years.  Notice and average your trial in this cated in the above cated in the above cated unterclaim, you must be controlled.	ears or older and who is not of service.   If a Summons to Appearance on (date)	ar for Trial all books, papers and entered against yo	ction 15 days prior to the
Dated:				
aintiff(s)'s Claim (Pleas	se summarize reaso		ourt/Deputy Clerk aim below )	
ne Defendant(s) owe(s) me nould be ordered to return llowing reasons. (If seekir	e \$ property, perform a co	, which includes penaltie intract or set aside a con	es, plus interest and co tract or comply with a	restrictive covenant for the
lote: The combined value of we declare under penalty	of perjury under the	law of Colorado that the	ne foregoing is true a	and correct. I/we have no
ed in any Small Claims Ć this County in this calend	ourt in this County m			
ated:		Plain	tiff's Signature	
		Plaint	iff's Signature	

Case Namev	•		Case Number:	
	AFFIDAVIT OF	_		
I swear/affirm under oath that I am 18  Claim, and Summons to Appear for 1	years or older and r	not a party to the	action, and that I served the	Notice,
Name of Person Served	Date and Time of Se		Address of Service (Street, County, City, State)	
Check type of Service:  ☐ By handing the documents to a person) who is a member of the relationship) ☐ By leaving the documents at the Derson) who is the Defendant's second person served.) ☐ By leaving the documents at the Derson) who is the Defendant's second person served.) ☐ By leaving the documents with	ing to deliver them to a ments in a conspicuou Defendant's usual place Defendant's family ) Defendant's usual wor cretary, administrative	a person identified us place. ce of abode with and whose age kplace with assistant, bookk	(No. 18 years or older. (Identify	lame of y family lame of rcle title
is authorized by appointment or by  By leaving the documents with an or pursuant to C.R.C.P. 304 which was to be served. (Circle title  By serving the documents as follow	law to receive service officer, partner, manage (person who was s	e of process for th ger, stockholder, of please identify) of served.)	e Defendant. elected official or functional eq the corporation or non-corpora	uivalent te entity
I have charged the following fees for my ser  ☐ Private process server ☐ Sheriff, Fee \$ Mileage \$		Signature of Pro		·
Subscribed and affirmed, or sworn, this day  My Commission Expires:	of			tate of
(To be p	TIFICATE OF SER	ithin three days of	filing)	
I hereby certify that on	(date), I my placing it in the Unite	nailed a true and co ed States Mail, pos	orrect copy of the <b>NOTICE, CLA</b> tage pre-paid to the Defendant(s	I <b>M, AND</b> s) at the
		Clerk of Court/I		
☐ (If applicable) Plaintiff(s) notified of non-s	service on (date)		Clerk's Initials	

Amended and Adopted by the Court, En Banc, January 11, 2024, effective immediately.

By the Court:

Richard L. Gabriel Justice, Colorado Supreme Court