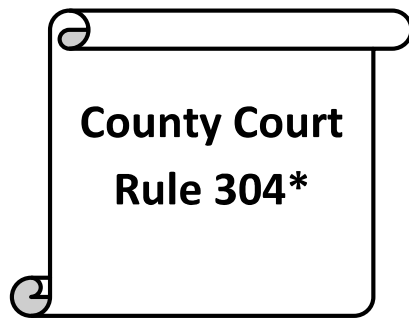




## **SERVICE:**

**Making sure that a copy of documents you file with the Court is delivered to the opposing party in the case**

**Service is NECESSARY and REQUIRED**, because it is not fair to have a secret lawsuit or not let both parties have the opportunity to tell their side of the story.

**The Court CANNOT Complete Service for You.**

**The Summons and Complaint usually MUST be “Personally” Served\*\*** (hand delivered to the defendant), so that the defendant knows that the case has been filed and that they need to take action to avoid a judgment being automatically entered against him or her.

**YOU Cannot Personally Serve the Defendant**, but the documents can be delivered by anyone over the age of 18 who is not a party to the case, including Denver County Sheriffs (201 W. Colfax) and private process servers.

**When Personally Serving Documents, They May Sometimes be Left with Someone Other than the Defendant**, such as at an adult defendant’s house with a member of his or her family over the age of 18 or at an adult defendant’s work with his or her supervisor or secretary.

**If the Defendant is a COMPANY, Try to Personally Serve the Registered Agent** (the person designated to receive documents for the company), who can be found on the Secretary of State’s website (<http://www.sos.state.co.us/biz/BusinessEntityCriteriaExt.do>).

**Documents Must be Personally Served AT LEAST \_\_ Days before the Court Date—**  
For eviction or replevin cases 7 days, for small claims 15 days, for civil money cases 14 days, and for notice to the noncustodial parent in minor name change cases 14 days.

**You Must Return a Copy of the Affidavit of Service to the Court** after the person who delivered the documents to the defendant COMPLETES the Affidavit and has it notarized.

\* County Court Rule of Civil Procedure 304 also contains detailed information on serving organizations, associations, and entities; substitute service; service by mail or publication; waiver of service; and refusal of service.

\*\*Additional options for initial service of process may be available. For eviction cases, see Colorado Revised Statute §§ 13-40-112 & 13-40-115. For small claims cases, see Colorado Rules of Procedure for Small Claims Courts 504.