



Small Claims Lawsuits up to \$7,500

www.DenverCountyCourt.org | 303-865-7840 | 1437 Bannock St. rm 135, 80202

PACKET CONTENTS

- Instructions
- Notice, Claim, and Summons to Appear
- Stipulation
- Motion and Order for Interrogatories

Editable versions of these forms and more information can be found on the county and state court web sites:

www.denvercountycourt.org

www.courts.state.co.us

REGARDING SMALL CLAIMS

Complete the “Notice, Claim and Summons to Appear for Trial” (pg. 7 of this packet). Once the clerk in room 135 schedules the Court Trial, they will make 3 copies of the completed form and retain the original.

Identical copies of the “Notice, Claim and Summons to Appear” must be affixed to the Defendant copy (with defendant information), the Plaintiff copy (with plaintiff information), and the Affidavit of Service (the additional Court Copy).

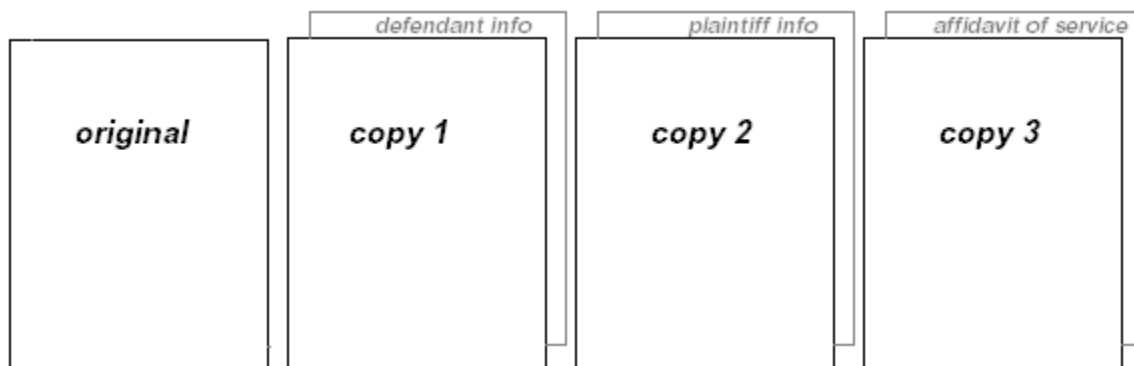
Civil Division Clerk’s Office (rm. 135):
8 a.m. – 8 p.m. Monday - Thursday
8 a.m. – 5 p.m. Friday
(Closed weekends / holidays.)

Assistance completing forms (rm. 281)
Self-Represented Litigant Coordinator
dccselfhelp@denvercountycourt.org
8 a.m. – 4 p.m. Monday - Friday

For ADA accommodation requests and related information, please visit:
www.DenverCountyCourt.org/ada

The instructions in this packet are for informational purposes only and do not constitute legal advice about your case. If you choose to represent yourself, you are bound by the same rules and procedures as an attorney.

If you have a question about any of the information or contents of this packet, please contact an attorney.



Filing fees and other costs that may apply throughout the collections process:

\$31 – Claims up to \$500

\$55 – Claims \$500.01-\$7,500

\$5 – Forms packet to collect on a judgment

Cost of Service – varies by sheriff’s office / process server.

INSTRUCTIONS FOR FILING A SMALL CLAIMS CASE

**These standard instructions are for informational purposes only
and do not constitute legal advice about your case.**

GENERAL INFORMATION

- ◆ The Small Claims Court handles only certain cases per §13-6-403, C.R.S. Some examples are claims to recover money or property, perform or set aside a contract, or comply with restrictive covenants.
- ◆ If the claim amount exceeds \$7,500.00, you may waive the balance over \$7,500.00.
- ◆ You are not allowed to divide the claims into two separate cases.
- ◆ You cannot file more than two claims in any Small Claims Court in a County during a month nor more than 18 claims in a County during a calendar year.
- ◆ The Statute of Limitations varies depending upon the type of claim.
- ◆ The legal rate of interest is 8% compounded annually.
- ◆ All actions in the small claims court shall be brought in the county in which at the time of filing of the claim any of the defendants resides, or is regularly employed, or has an office for the transaction of business, or is a student at an institution of higher education. In an action to enforce restrictive covenants or arising from a security deposit dispute, the action may be brought in the county in which the subject real property is located. Mediation/settlement assistance may be required in some Small Claims Courts.
- ◆ All cases are heard before a Magistrate or Judge. Jury Trials are not allowed.
- ◆ If you are the Defendant **do not disregard** the Notice, Claim and Summons to Appear for Trial. A judgment could be entered against you, and the other party could start collection procedures.
- ◆ If you are the Plaintiff **do not disregard** a response or counterclaim. A judgment could be entered against you, and the other party could start collection procedures.
- ◆ The Court cannot collect your judgment for you.
- ◆ For additional information, please review the Colorado Rules of Procedure for Small Claims (Rules 501 – 521).
- ◆ If you have a disability and need a reasonable accommodation to access the courts, please contact your local ADA Coordinator. Contact information can be obtained from the following website:
http://www.courts.state.co.us/Administration/HR/ADA/Coordinator_List.cfm

COMMON TERMS

- | | |
|-----------------------|--|
| ☒ Plaintiff: | The person(s) company or other entity who filed the lawsuit. |
| ☒ Defendant: | The person(s), company or other entity that the case is filed against. |
| ☒ Complaint: | The Notice, Claim, and Summons to Appear for Trial form stating the amount claimed and the reason for the claim. |
| ☒ Summons: | The section of the Notice, Claim, and Summons to Appear for Trial form which informs the Defendant when and where to appear. |
| ☒ Response: | The section of the Notice, Claim, and Summons to Appear for Trial form where the Defendant can state why the claim is not true or is inaccurate as to the amount. |
| ☒ Counterclaim: | The part of the response that says why the Plaintiff owes the Defendant money or property. |
| ☒ Service of Process: | The official means by which the Notice, Claim and Summons to Appear for Trial is delivered to the Defendant to notify him/her that a lawsuit has been filed. |
| ☒ Default order: | If the Defendant does not appear at the time of the Court Trial, the Court may enter a “default” order which may entitle the Plaintiff to all or some of the relief identified in the Notice, Claim and Summons to Appear for Trial. |

- ☒ Trial Date: The date that the Plaintiff and Defendant must appear in Court, which is listed on the Notice, Claim, and Summons to Appear for Trial.
- ☒ Mediation: A confidential, informal process in which a trained neutral third party helps people in conflict to negotiate a mutually acceptable agreement.
- ☒ May: In legal terms, "may" is defined as "optional" or "can."
- ☒ Shall: In legal terms, "shall" is defined as "required."

FEES

The filing fee varies based on the amount of the claim. If you are unable to pay, you must complete the Motion to File without Payment and Supporting Financial Affidavit (JDF 205) and submit it to the Court. Once you submit the completed JDF 205 form and a blank Order (JDF 206), the Court will decide if you need to pay the filing fee.

- ◆ Claim up to \$500.00: \$ 31.00
- ◆ Claim \$500.01 to \$7,500.00: \$ 55.00

Response fees paid by the Defendant are as follows:

Response without a counterclaim:

- ◆ Claim up to \$500.00: \$ 26.00
- ◆ Claim \$500.01 to \$7,500.00: \$ 41.00

Response with a counterclaim:

- ◆ If Plaintiff's claim is \$500.00 or less and counterclaim is \$500.00 or less: \$ 31.00
- ◆ If Plaintiff's claim is more than \$500.00 or counterclaim is more than \$500.00 and is not more than \$7,500.00: \$ 46.00

Other fees that a party to the case may encounter are as follows:

- ☐ Copies of Documents (Documents on File) \$.75 per page or \$1.50 if double-sided
- ☐ Copies of Documents (Documents not on File) \$.25 per page or \$.50 if double-sided
- ☐ Service Fees Varies (Payable to Process Server)
- ☐ Certification Fee \$ 20.00
- ☐ Writ of Garnishment \$ 45.00
- ☐ Transcript of Judgment \$ 25.00
- ☐ Satisfaction of Judgment \$ 20.00

FORMS

To access forms online, go to the website at www.courts.state.co.us and click on the "Forms" Tab. The forms are available in PDF or WORD by selecting "Small Claims". To access a form online, please click either PDF or WORD by the title of the form. You may complete the forms online and print or you may print them and type or print legibly in black ink. **JDF 250 is the initial form that you will need to file a Small Claims Case.**

- ☐ JDF 250 Notice, Claim, and Summons to Appear for Trial

Additional forms that you may need:

- ☐ JDF 75 Stipulation
- ☐ JDF 254 Subpoena or Subpoena to Produce

STEPS TO FILING YOUR CASE

Step 1: Complete the Notice, Claim, and Summons to Appear for Trial (JDF 250).

- ☐ Identify the names(s) and addresses of the Plaintiff(s) and Defendant(s) in the caption, see page 3.
- ☐ In addition, if the Defendant(s) is/are a business or an entity go online at www.sos.state.co.us (select business section) to determine who the registered agent is to complete service on the Defendant(s).
Note: It is important that you identify how the Defendant's business is organized. For example, if the business is a sole proprietorship, corporation, etc. Rule 304 of the Colorado Rules of County Court Civil Procedure, identifies how service should be completed based on the type of business and this information will assist the individual who know the rules of service when they serve JDF 250.
- ☐ If the Defendant is a governmental agency, you may be required to file a written notice with the Attorney General or other government representative, prior to filing your case with the Court, pursuant to §24-10-109, C.R.S.
- ☐ Please answer all four questions with a **Yes** or **No**.
- ☐ The Court will complete the box with the scheduled Court Trial date once you file your papers.
- ☐ Under the Plaintiff(s) claim section please write a brief description of your claim. Include what you are claiming, the amount you are requesting, and a summary of reasons to support your claim.
- ☐ **If you are completing JDF 250 using the WORD or PDF version, make sure that you complete all 4-parts of the form.**
- ☐ Do not attach any exhibits or paperwork to this form.

Small Claims Court (Print/type name of county here) County, Colorado Court Address: _____ PLAINTIFF(S): (Print/type your name and information below.) Address: _____ City/State/Zip: _____ Phone: Home _____ Work _____ v. DEFENDANT(S): (Print/type Defendant's name and information below.) Address: _____ City/State/Zip: _____ Phone: Home _____ Work _____	▲ COURT USE ONLY ▲ Case Number: _____ Division Courtroom
NAME OF FORM	

Step 2: File your Form with the Court.

- ☐ Provide the Court with the Form. **If you are completing the form using the WORD or PDF version, bring all four parts (7 pages) with you to Court. If you have the NCR form, bring the four-part form.**
- ☐ Pay the filing fee of \$31.00 or \$55.00 as appropriate
- ☐ The Court will complete the section that identifies the date and time for the Court Trial. The Court Trial date will vary with each Court. The Court may require mediation prior to the Court Trial date or on the Court Trial date.

Step 3: Serve the Notice, Claim, and Summons to Appear for Trial

- ☐ It is important that service be completed at least 15 days before the trial date. If not, the trial date will need to be rescheduled or your case may be dismissed.
- ☐ A separate copy of the **"Defendant's copy"** must be served on each Defendant. If there is more than one Defendant, make a copy of the Front and back of the **"Defendant's copy"** for each Defendant.
- ☐ You have two options to complete service.

Personal Service:

- ☐ Select either the Sheriff's Department, a private process server, or someone you know who is 18 years or older, who is not a party to the case, and who knows the rules of service to serve each Defendant. There is a service fee that is payable to the Sheriff's Department or Private Process Server. The fee for service is usually awarded as part of your court costs if you win your case.
 - ☐ You can locate private process servers in the yellow pages under Process Servers.
 - ☐ Provide the process server with one copy for each Defendant of the Notice, Claim, and Summons to Appear for Trial "**Defendant's copy**" and the "**Affidavit of Service**" portion.
 - ☐ The process server will return the completed Affidavit of Service portion of this form to you to bring and file with the Court before or on the day of your Court Trial.
 - ☐ Keep a copy of the Affidavit of Service for your records.

Certified Mail by the Clerk of Court:

- ☐ You can request that the Court send the notice by certified mail. **Only the Court can do this.** Certified mail is not the preferred form of service and could result in a delay in your Court hearing.
 - ☐ You will be required to pay the cost of certified mail at the time you file your case. This cost varies from \$5.00 to \$15.00.
 - ☐ **If certified mail cannot be completed, you will still need to have a sheriff or process server serve the form.**

PREPARING FOR MEDIATION

Mediation can be an effective way to resolve your dispute. In mediation, a neutral third party works with the parties in a confidential setting to help them negotiate a mutually acceptable agreement. You may be ordered by the Court to mediate, or you can choose mediation to resolve your case without going to trial. Mediation services are available from the Colorado Office of Dispute Resolution (303-837-3672) or from private mediators (see listings in the Yellow Pages). Some areas offer no-or low-cost community mediation services.

You should bring any legal or financial documents and any other information relating to the dispute with you to the mediation.

POSSIBLE OUTCOMES FROM MEDIATION

- ☐ You and the other party may reach a stipulation/agreement. Prepare a stipulation form (JDF 75) to identify the agreement. Both parties should sign the form and provide it to the Court.
- ☐ The party may agree that the money is owed and payment is made. Prepare a stipulation form (JDF 75) to identify the agreement and payment made. Both parties should sign the form and provide it to the Court, so that the Court knows that the case can be dismissed. **The stipulation must be signed in the presence of a court clerk or notary public.**
- ☐ If you and the other party do not reach a stipulation/agreement, then you will have a Court Trial.

PREPARING FOR THE COURT TRIAL

It is important that you are on time or early for your Court Trial and that you have all of your information with you. Please turn off your cell phone and respect all parties in the courtroom. You may be asked to speak to the other party before the Court Trial to determine if the claim can be settled to avoid going to trial. Below are some steps to follow:

- ☐ Before your court date, ask the Clerk if you can observe a small claims court trial. This is **not required**, but may help you feel more comfortable in Court and prepare you for your court trial.
- ☐ Determine the evidence that you may need. It is best to organize and label all exhibits, if you have more than one. Examples of exhibits are documents such as photographs, charts, and receipts. Make copies

of the exhibits for the Defendant(s) and the Court. If the Court has to make copies for you, copy fees will be assessed.

- ☐ Determine if you will need any witnesses. You can ask the witness to appear voluntarily, or you may need to request the Court to issue a subpoena to each witness. Instructions for Issuing a Subpoena (JDF 79) can be found on the judicial website under the General Section. The Court will accept written statements from the witnesses in most circumstances.
- ☐ Before you appear in court, highlight the key issues you would like to present. When others are testifying, take notes on what they say.

POSSIBLE OUTCOMES FROM YOUR COURT TRIAL

- ☐ The Magistrate or Judge will usually determine the facts, who won, and the amount of the judgment. The Magistrate or Judge also may make an award of costs (filing fee, service fee(s), and witness fee(s), if applicable) to the winning party.
- ☐ The party who was awarded the judgment is responsible for collecting the money. **The Court cannot do this for you.**
- ☐ The Court may provide the person who owes the money with either a Motion & Order for Interrogatories – Short Form (JDF 252A) or a Motion & Order for Interrogatories – Long Form (JDF 252B). The interrogatories are designed to help identify where the party works, money held in savings/checking accounts, and property that the debtor owns that can help with collecting the money.
- ☐ Additional collection information entitled “Instructions for Collecting a Judgment and Completing a Writ of Garnishment” (JDF 82) is available on the website under Garnishments.

Small Claims Court Denver County, Colorado
Court Address: 1437 Bannock St. Rm. 135
Denver, CO 80202

PLAINTIFF(S): _____

Address: _____

City/State/Zip: _____

Phone: Home _____ Work _____ Cell _____

v.

DEFENDANT(1): _____

Address: _____

City/State/Zip: _____

Phone: Home _____ Work _____ Cell _____

DEFENDANT(2): _____

Address: _____

City/State/Zip: _____

Phone: Home _____ Work _____ Cell _____

▲ **COURT USE ONLY** ▲

Case Number: _____

S

Division _____

Courtroom _____

NOTICE, CLAIM AND SUMMONS TO APPEAR FOR TRIAL

If Defendant(s) is/are other than a person, go on-line at www.sos.state.co.us to determine the registered agent for service of this notice. Please enter name and address of the agent. Name: _____

Address: _____

1. The Defendant(s) is/are in the military service: ☐Yes ☐No ☐Unknown
2. The Defendant(s) reside(s), is/are regularly employed, has/have an office for the transaction of business, or is/are a student in this county, or real property located in this county is the subject of claim(s) arising from a restrictive covenant or security deposit dispute. ☐Yes ☐No
3. I/We understand that it is my/our responsibility to have each Defendant served with the "Defendant's Copy" of this Notice by a person whose age is 18 years or older and who is not a party to this action 15 days prior to the trial and to provide the Court with written proof of service. ☐Yes ☐No
4. I am an attorney: ☐Yes ☐No

Notice and Summons to Appear for Trial

To the Defendant(s):

You are scheduled to have your trial in this case on _____ (date) at _____ (time) at the Court address stated in the above caption. Bring with you all books, papers and witnesses you need to establish your defense. **If you do not appear, judgment may be entered against you.** If you wish to defend the claim or present a counterclaim, you must provide a written response or written counterclaim on or before the scheduled trial date and pay a **nonrefundable** filing fee.

Dated: _____

Clerk of Court/Deputy Clerk

Plaintiff(s)'s Claim (Please summarize reasons to support your claim below.)

The Defendant(s) owe(s) me \$_____, which includes penalties, plus interest and costs allowed by law, and/or should be ordered to return property, perform a contract or set aside a contract or comply with a restrictive covenant for the following reasons. (If seeking return of property, please describe the property being requested).

Note: The combined value of money, property, specific performance or cost to remedy a covenant violation cannot exceed \$7,500.00.

I declare under penalty of perjury under the law of Colorado that the foregoing is true and correct. Plaintiff(s) declare under penalty of perjury that the above statements are true and correct, and that I/we have not filed in any Small Claims Court in this County more than 2 claims during this calendar month, nor more than 18 claims in this County this calendar year.

Dated: _____

Plaintiff's Signature

Plaintiff's Signature

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:

Defendant's Counterclaim (If submitting a counterclaim, pay the appropriate filing fee).

The Plaintiff(s) owe(s) me \$_____, which includes penalties, plus interest and costs allowed by law and/or should be ordered to return property, perform a contract or set aside a contract or comply with a restrictive covenant for the following reasons. (If seeking return of property, please describe the property being requested).

- ☐ The amount of my/our counterclaim does not exceed the jurisdictional amount of the Small Claims Court of \$7,500.00.
- ☐ The amount of my/our counterclaim exceeds the jurisdictional amount of the Small Claims Court, but I/we wish to limit the amount that I/we wish to recover from the Plaintiff to \$7,500.00.
- ☐ The amount of my/our counterclaim exceeds the jurisdictional amount of the Small Claims Court, and I/we wish to have the case sent to ☐ County Court (only if I/we wish to limit the amount I/we can recover from the plaintiff to \$15,000.00) ☐ District Court (I /we do not wish to limit the amount I/we can recover from the Plaintiff(s)) and will pay the appropriate filing fee. I/we am/are filing a Notice of Removal and paying the appropriate filing fee to the Court at this time.

I am an attorney. ☐ Yes ☐ No

I declare under penalty of perjury that this information is true and correct and that I mailed a copy of the Response/Counterclaim to the Plaintiff(s) at the address(es) stated on this form on _____ (date).

Defendant's Address

Defendant's Signature

Date

Telephone #: Home

Work

Cell

Information for Defendants in Small Claims Cases

A. Filing Fees.

Response without a counterclaim:

◆ **Claim \$500.00 or less: \$26.00**

◆ **Claim over \$500.00 but less than \$7,500.00: \$41.00**

Response with a counterclaim:

◆ **If Plaintiff's claim is \$500.00 or less and counterclaim is \$500.00 or less:**

\$31.00

◆ **If Plaintiff's claim is more than \$500.00 or counterclaim is more than \$500.00:**

\$46.00

B. Response. You have been served with a Summons. If you fail to appear on the trial date shown on this notice, judgment may be entered 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 = \$97.00, District = \$224.00) 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 http://www.courts.state.co.us/Administration/Custom.cfm?Unit=interp&Page_ID=117.

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 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:
http://www.courts.state.co.us/Administration/Custom.cfm?Unit=interp&Page_ID=117.

Case Name _____ v. _____

Case Number: _____

AFFIDAVIT OF SERVICE
(Must be returned to Court)

I swear/affirm under oath that I am 18 years or older and not a party to the action, and that I served the **Notice, Claim, and Summons to Appear for Trial (JDF 250)** on the following:

Name of Person Served

Date and Time of Service

Address of Service
(Street, County, City, State)

Check type of Service:

- ☐ By handing the documents to a person identified to me as the Defendant.
- ☐ By identifying the documents, offering to deliver them to a person identified to me as the Defendant who refused service, and then leaving the documents in a conspicuous place.
- ☐ By leaving the documents at the Defendant's usual place of abode with _____ (Name of Person) who is a member of the Defendant's family and whose age is 18 years or older. (Identify family relationship) _____.)
- ☐ By leaving the documents at the Defendant's usual workplace with _____ (Name of Person) who is the Defendant's secretary, administrative assistant, bookkeeper, or managing agent. (Circle title of person served.)
- ☐ By leaving the documents with _____ (Name of Person), who as _____ (title) is authorized by appointment or by law to receive service of process for the Defendant.
- ☐ By leaving the documents with an officer, partner, manager, stockholder, elected official or functional equivalent pursuant to C.R.C.P. 304 _____ (please identify) of the corporation or non-corporate entity which was to be served. (Circle title of person who was served.)
- ☐ By serving the documents as follows (other service under C.R.C.P. 304: _____.

I have charged the following fees for my services in this matter:

☐ Private process server

☐ Sheriff, _____ County
Fee \$ _____ Mileage \$ _____

Signature of Process Server

Name (Print or type)

Subscribed and affirmed, or sworn to before me in the County of _____, State of _____, this _____ day of _____, 20 _____.

My Commission Expires: _____

Notary Public

CERTIFICATE OF SERVICE BY MAILING
(To be performed by Clerk within three days of filing)

I hereby certify that on _____ (date), I mailed a true and correct copy of the **NOTICE, CLAIM, AND SUMMONS TO APPEAR FOR TRIAL**, by placing it in the United States Mail, postage pre-paid to the Defendant(s) at the address(es) listed above.

Clerk of Court/Deputy Clerk

☐ (If applicable) Plaintiff(s) notified of non-service on (date) _____. Clerk's Initials _____

County Court, Denver County, Colorado 1437 Bannock Street, Room 135 Denver, Colorado 80202, 720-865-7840		▲ COURT USE ONLY ▲
Plaintiff(s)/Petitioner(s) v. Defendant(s)/Respondent(s)		
Attorney or Party Without Attorney (Name and Address): Phone Number: FAX Number: E-mail: Atty. Reg. #:		Case Number: Division: Civil Courtroom:
STIPULATION		

The Plaintiff/Petitioner and the Defendant/Respondent agree as follows:

1. _____

2. _____

3. _____

4. _____

5. _____

Plaintiff/Petitioner Signature Date

Defendant/Respondent Signature Date

Attorney Signature, if any

Attorney Signature, if any

Subscribed and affirmed, or sworn to before me
 in the County of _____,
 State of _____, this _____
 day of _____, 20 ____.

Subscribed and affirmed, or sworn to before me
 in the County of _____,
 State of _____, this _____
 day of _____, 20 ____.

My Commission Expires:

My Commission Expires:

Notary Public/Deputy Clerk

Notary Public/Deputy Clerk

Small Claims Court, Denver County, Colorado
1437 Bannock Street, Room 135
Denver, Colorado 80202, 720-865-7840

PLAINTIFF(S): _____

Address: _____

City/State/Zip: _____

Phone: Home _____ Work _____

v.

DEFENDANT(S): _____

Address: _____

City/State/Zip: _____

Phone: Home _____ Work _____

▲ COURT USE ONLY ▲

Case Number: _____

Division: **Small Claims** Courtroom: _____

MOTION AND ORDER FOR INTERROGATORIES – SHORT FORM

MOTION

Judgment was entered on: (date) _____.

Against the: ☐ Plaintiff ☐ Defendant By: ☐ Default ☐ After trial

The judgment remains unsatisfied. Pursuant to Rule 518(a), C.R.C.P., the ☐ judgment creditor requests or the ☐ Court finds that the judgment debtor should be required to answer the following interrogatories.

Date: _____

Judgment Creditor's Signature

ORDER

☐ Pursuant to Rule 518(a), at the request of the judgment creditor **or** on the Court's review of the above Motion **IT IS ORDERED:**

☐ That the judgment debtor shall answer the following questions and file the answers with the Court ☐ immediately ☐ within 14 days after service of these interrogatories upon the judgment debtor, or in lieu thereof, pay the judgment in full. **or**

☐ That the judgment debtor answer the questions and appear in Court at _____ (date) at _____ (time).

FAILURE TO TRUTHFULLY AND COMPLETELY ANSWER ALL OF THESE QUESTIONS AND RETURN THEM WITHIN 14 DAYS TO THE CLERK OF THE COURT, SMALL CLAIMS COURT, SHALL CAUSE A CITATION TO BE ISSUED FOR CONTEMPT OF COURT. A FINDING OF CONTEMPT BY THE COURT MAY RESULT IN A FINE OR JAIL SENTENCE.

Date: _____

☐ Judge ☐ Magistrate

INTERROGATORIES

1. What is your full legal name: _____

List any other names you have been known by: _____

Home address: _____

Home phone number: _____ Work phone number: _____

Date of birth: _____ Social Security Number: _____

Drivers license number: _____ State: _____

2. As to your employment, complete the following:

The employer's/company's name: _____

Address of employer: _____

Phone number: _____ Supervisor's name: _____

You are paid: ☐ hourly \$ _____ ☐ monthly \$ _____ or ☐ your annual rate of pay you earn \$ _____ ☐ you are paid commissions, the manner in which commissions are calculated are: _____

The days or days of the month on which you are paid: _____

3. As to your bank accounts, complete the following: List the name and address and account number of every bank, saving and loan, credit union or other financial institution holding any funds which you have deposited or which you are allowed to withdraw without obtaining another person's signature.

Name of Bank, Savings & Loan/Credit Union	Address/Location City/State	Account Number
Name of Bank, Savings & Loan/Credit Union	Address/Location City/State	Account Number
Name of Bank, Savings & Loan/Credit Union	Address/Location City/State	Account Number
Name of Bank, Savings & Loan/Credit Union	Address/Location City/State	Account Number

4. State the full and correct address of all real estate you own or have an interest in:

Address	City/County State
Address	City/County State
Address	City/County State

5. As to debts owed to you, complete the following. List the name and address of every person who owes you money and the amount owed to you:

Name	Address City/State	\$	Amount owed
Name	Address City/State	\$	Amount owed
Name	Address City/State	\$	Amount owed

6. As to insurance coverage, complete the following: List the name and address of any insurance company, including policy numbers with agent's name providing liability coverage.

Name of Insurance Company – Name of Agent	Address/Location City/State	Policy Number
Name of Insurance Company – Name of Agent	Address/Location City/State	Policy Number
Name of Insurance Company – Name of Agent	Address/Location City/State	Policy Number

UNDER PENALTIES OF PERJURY, I DECLARE THAT THESE STATEMENTS ARE TRUE AND CORRECT.

Date: _____
Judgment Debtor's Signature

Subscribed and affirmed, or sworn to before me in the County of _____, State of _____,
this _____ day of _____, 20 _____.
My Commission Expires: _____
Notary Public/Clerk of the Court/Deputy Clerk

Case Name _____ v. _____

Case Number: _____

AFFIDAVIT OF SERVICE
(Must be returned to Court)

I served a copy of the foregoing Interrogatories, on the following:

Name	Date	Place
------	------	-------

If the person on whom service was made is not the named party to be served, I served the Interrogatories:

☐ At the regular place of abode of the person to be served, by leaving the Notice with a person over the age of 18 years who regularly resides at the place of abode. (Identify relationship to defendant _____)

☐ At the regular place of business of the person to be served, by leaving the Notice with that person's secretary, bookkeeper, chief clerk, office receptionist/assistant or partner. (Circle title of person that was served).

☐ By leaving the Notice with a partner, limited partner, associate, manager, elected office, receptionist/assistant, bookkeeper or general agent of the partnership. Limited Liability Company, or other non-corporate entity, which was to be served. (Circle title of person that was served).

☐ By leaving the Notice with an officer, manager, receptionist/assistant, legal assistant, paid legal advisor or general agent, registered agent for service of process, stockholder or principal employee of the corporation, which was to be served. (Circle title of person that was served).

I am over the age of 18 years, and I am not an interested party in this matter.

I have charged the following fees for my services in this matter:

☐ Private process server

☐ Sheriff, _____ County

Fee \$ _____ Mileage \$ _____

Signature of Process Server

Name (Print or type)

Subscribed and affirmed, or sworn to before me in the County of _____, State of _____, this _____ day of _____, 20 _____.

My commission expires: _____

Notary Public

CERTIFICATE OF SERVICE BY MAILING
(To be performed by Clerk within three days of filing)

I hereby certify that on (date) _____, I mailed a true and correct copy of the MOTION AND ORDER FOR INTERROGATORIES – SHORT FORM, by placing it in the United States Mail, postage pre-paid to the Defendant(s) at the address(es) listed above.

Dated: _____

Clerk of Court/Deputy Clerk

☐ (If applicable) Plaintiff notified of non-service on (date) _____. Clerk's Initials _____

Small Claims Division, City and County of Denver, State of Colorado 1437 Bannock St. Denver, CO 80202	
Plaintiff/Petitioner:	▲
v.	▲
Defendant/Respondent:	COURT USE ONLY
	Case Number:
	Civil Division Courtroom 117M
Delay Reduction Order for Small Claims Court	

This Matter has been assigned to the Small Claims division of the Denver County Courts. C.R.C.P. 501 (c) requires that this Court shall provide for the expeditious resolution of all cases brought to the Court. Therefore, the Court issues the following Order:

C.R.C.P. 504(a) requires that a copy of the notice, claim and summons be served at least 15 days prior to the trial date. However, the general rule in this Small Claims Court is that all Matters heard in the Small Claims Court shall be ordered to mandatory mediation. Therefore, in order to ensure that all Matters proceed to mediation and, if not resolved, are still heard in a timely manner in the spirit of Rule 501(c), the Plaintiff (the party filing this claim) is strongly encouraged to make reasonable efforts to serve the Defendant at least 30 days prior to the first scheduled trial date.

To aid in the expeditious resolution of this Matter, the Court will review this Matter's file approximately 30 days prior to the first scheduled trial date, and if service has been completed, the Court will then schedule a mediation between the parties promptly. Provided the Court has proof of service, this mediation will be generally scheduled within 2-3 weeks after the file review date by the Court, and generally prior to the first scheduled trial date. This early review by the Court and the scheduling of mediation for those Matters that have completed service of process will help to ensure the speedy resolution of this Matter. The Plaintiff should be aware that if service is not made at least 30 days prior to the first scheduled trial date, and because mediation will be ordered in this Matter, resolution of this Matter may be unnecessarily delayed for a short period of time if service is not completed 30 days prior to the scheduled trial date.

To be clear, the Plaintiff must ensure that if service has been completed, a copy of the proof of service, entitled "Affidavit of Service", is filed with the Court prior to the first scheduled trial date. If service is not completed, the Court generally will authorize and Alias Summons, which provides the Plaintiff additional time to accomplish service on the Defendant/s/. In any event, the Plaintiff must appear.

In addition to this Delay Reduction Order, the Court will send all parties involved in this Matter a Case Management Order, which Order will aid the parties in understanding the Small Claims processes, and will explain how exhibits are to be provided to the court prior to trial. All proceedings in Small Claims court are virtual-the link is on the Denver County Court website.

Dated:
June 8, 2022

BY: *Todd Mackintosh*
Todd Mackintosh, Magistrate

