

Small Claims Court _____ County, Colorado Address: _____ <hr/> PLAINTIFF(S): _____ Address: _____ City/State/Zip: _____ Phone: Home _____ Work _____ v. DEFENDANT(1): _____ Address: _____ City/State/Zip: _____ Phone: Home _____ Work _____ DEFENDANT(2): _____ Address: _____ City/State/Zip: _____ Phone: Home _____ Work _____	<div style="text-align: center; border-top: 1px solid black; border-bottom: 1px solid black;"> ▲ COURT USE ONLY ▲ </div> Case Number: _____ Division _____ Courtroom _____
NOTICE, CLAIM AND SUMMONS TO APPEAR FOR TRIAL (Part 1)	

If Defendant(s) is/are other than a person, call the Secretary of State's office at (303) 894-2251, or 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: _____

The Defendant(s) is/are in the military service: Yes No I am an attorney: Yes No
 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 the Defendant(s) own(s) the rental property in the county that is the subject of this claim.
 Yes No
I/We understand that it is my/our responsibility to provide the court with proof that the Defendant(s) has/have been served 15 days prior to the trial. 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) _____ (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 WILL 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 the scheduled trial date and pay a NONREFUNDABLE filing fee. Dated: _____ <div style="text-align: right; margin-right: 50px;"> _____ Clerk of Court/Deputy </div>

PLAINTIFF(S)'S CLAIM
 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. (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/We declare under penalty of perjury that the above statements are true and correct, and that I/we have not filed more than two claims in any one or more small claims courts in Colorado during this month, nor more than 18 claims in this calendar year.

Dated: _____

 Plaintiff's Signature

 Plaintiff's Signature

Small Claims Court _____ County, Colorado Address: _____ <hr/> PLAINTIFF(S): _____ Address: _____ City/State/Zip: _____ Phone: Home _____ Work _____ v. DEFENDANT(1): _____ Address: _____ City/State/Zip: _____ Phone: Home _____ Work _____ DEFENDANT(2): _____ Address: _____ City/State/Zip: _____ Phone: Home _____ Work _____	<div style="text-align: center; border-top: 1px solid black; border-bottom: 1px solid black;"> ▲ COURT USE ONLY ▲ </div> Case Number: _____ Division Courtroom
NOTICE, CLAIM AND SUMMONS TO APPEAR FOR TRIAL (Part 2)	

If Defendant(s) is/are other than a person, call the Secretary of State's office at (303) 894-2251, or 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: _____

The Defendant(s) is/are in the military service: Yes No I am an attorney: Yes No
 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 the Defendant(s) own(s) the rental property in the county that is the subject of this claim.
 Yes No
I/We understand that it is my/our responsibility to provide the court with proof that the Defendant(s) has/have been served 15 days prior to the trial. 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) _____ (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 WILL 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 the scheduled trial date and pay a NONREFUNDABLE filing fee. Dated: _____ <div style="text-align: right;">_____ Clerk of Court/Deputy</div>

PLAINTIFF(S)'S CLAIM
 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. (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/We declare under penalty of perjury that the above statements are true and correct, and that I/we have not filed more than two claims in any one or more small claims courts in Colorado during this month, nor more than 18 claims in this calendar year.

Dated: _____

Plaintiff's Signature

Plaintiff's Signature

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 (Fee for responding is as stated in A below. I do not owe the Plaintiff(s) or am not responsible to the Plaintiff(s) because: _____

DEFENDANT'S COUNTERCLAIM (If responding or submitting a counterclaim, pay the appropriate filing fees. 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. (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. _____
Defendant's Address and Telephone Number

Defendant's Signature Date Home Work

INFORMATION FOR DEFENDANTS IN SMALL CLAIMS CASES

FILING FEES.

Response without a counterclaim:

- ◆ **Claim \$500.00 or less: \$5.00** **Claim over \$500.00 but less than \$7,500.00: \$15.00**

Response with a counterclaim:

- ◆ **Counterclaim \$500.00 or less: \$10.00 Counterclaim over \$500.00 but less than \$7,500.00: \$20.00**

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 want to contest the claim, you must file a response on or before the trial date, provide a copy to the Plaintiff(s), and appear on the date set for trial in the notice with all evidence and witnesses needed to establish your defense.

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 may complete the Defendant's counterclaim at the top of the form, provide a copy of the counterclaim to the Plaintiff(s) prior to the trial, and pay the appropriate 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 COURT OF GREATER JURISDICTION, YOU MUST COMPLETE AND FILE THIS FORM, PAY THE APPROPRIATE FILING FEE, AND FILE A NOTICE OF REMOVAL AT LEAST SEVEN 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 appeal within 15 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 courts 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 magistrate.

ATTORNEY. If you want to be represented by an attorney, you or your attorney must file a notice of representation at least seven 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 may 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 your case at least seven days before the trial date set in this notice. The rules and procedures of the Small Claims Court will still apply.

Small Claims Court _____ County, Colorado Address: _____ <hr/> PLAINTIFF(S): _____ Address: _____ City/State/Zip: _____ Phone: Home _____ Work _____ v. DEFENDANT(1): _____ Address: _____ City/State/Zip: _____ Phone: Home _____ Work _____ DEFENDANT(2): _____ Address: _____ City/State/Zip: _____ Phone: Home _____ Work _____	<div style="border-top: 1px solid black; border-bottom: 1px solid black; margin: 5px 0;"> ▲ COURT USE ONLY ▲ </div> Case Number: _____ Division Courtroom
NOTICE, CLAIM AND SUMMONS TO APPEAR FOR TRIAL (Part 3)	

If Defendant(s) is/are other than a person, call the Secretary of State's office at (303) 894-2251, or 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: _____

The Defendant(s) is/are in the military service: Yes No I am an attorney: Yes No
 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 the Defendant(s) own(s) the rental property in the county that is the subject of this claim.
 Yes No

I/We understand that it is my/our responsibility to provide the court with proof that the Defendant(s) has/have been served 15 days prior to the trial. 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) _____ (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 WILL 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 the scheduled trial date and pay a NONREFUNDABLE filing fee. Dated: _____ <div style="text-align: right;">_____ Clerk of Court/Deputy</div>

PLAINTIFF(S)'S CLAIM

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. (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/We declare under penalty of perjury that the above statements are true and correct, and that I/we have not filed more than two claims in any one or more small claims courts in Colorado during this month, nor more than 18 claims in this calendar year.

Dated: _____

Plaintiff's Signature

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 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 the owns the 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:** **\$9.00 filing fee + \$1.00 tax = \$10.00**
 - ◆ **Claim over \$500.00 but less than \$7,500.00:** **\$23.00 filing fee + \$1.00 tax = \$24.00**
- B. SERVICE.** This notice to appear must be served at least 15 days prior to the trial. It may be served by:
1. Any person over 18 years of age 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, the Court may enter judgment against you.
- F. APPEAL.** If you wish to appeal, you must file your appeal within 15 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 courts 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 at least seven 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 your case at least seven days before the trial date set in this notice. The rules and procedures of the Small Claims Court will still apply.

Small Claims Court _____ County, Colorado Address: _____ <hr/> PLAINTIFF(S): _____ Address: _____ City/State/Zip: _____ Phone: Home _____ Work _____ v. DEFENDANT(1): _____ Address: _____ City/State/Zip: _____ Phone: Home _____ Work _____ DEFENDANT(2): _____ Address: _____ City/State/Zip: _____ Phone: Home _____ Work _____	<div style="text-align: center; border-top: 1px solid black; border-bottom: 1px solid black;"> ▲ COURT USE ONLY ▲ </div> Case Number: _____ Division Courtroom
NOTICE, CLAIM AND SUMMONS TO APPEAR FOR TRIAL (Part 4)	

If Defendant(s) is/are other than a person, call the Secretary of State's office at (303) 894-2251, or 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: _____

The Defendant(s) is/are in the military service: Yes No I am an attorney: Yes No
 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 the Defendant(s) own(s) the rental property in the county that is the subject of this claim.
 Yes No
I/We understand that it is my/our responsibility to provide the court with proof that the Defendant(s) has/have been served 15 days prior to the trial. 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) _____ (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 WILL 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 the scheduled trial date and pay a NONREFUNDABLE filing fee. Dated: _____ <div style="text-align: right;"> _____ Clerk of Court/Deputy </div>

PLAINTIFF(S)'S CLAIM
 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. (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/We declare under penalty of perjury that the above statements are true and correct, and that I/we have not filed more than two claims in any one or more small claims courts in Colorado during this month, nor more than 18 claims in this calendar year.

Dated: _____

 Plaintiff's Signature

 Plaintiff's Signature

**AFFIDAVIT OF SERVICE
(Must be returned to Court)**

I served a copy of the foregoing Notice, Claim and Summons to Appear for Trial, on the following:

Name	Date	Place
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If the person on whom service was made is not the named party to be served, I served the Notice, Claim and Summons to Appear for Trial:

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 who was served.)

By leaving the Notice with a partner, limited partner, associate, manager, elected official, 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 who 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, that was to be served. (Circle title of person who 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 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.

By: _____
Clerk of Court/Deputy Clerk

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