RULE CHANGE 2022(01) COLORADO RULES OF CIVIL PROCEDURE Rules 16, 16.1, 30, and 45 Forms 26, 29, 32, 33, 47, 250, 601, and 603

Rule 16. Case Management and Trial Management

- (a) (b)(5) [NO CHANGE]
- (6) Evaluation of Proportionality Factors. The proposed order shall provide a brief assessment statement of each party's position on the application of any factors to be considered in determining proportionality, including those factors identified in C.R.C.P. 26(b)(1). Each party that filed a certification of value pursuant to C.R.C.P. 16.1(d) must include in the proposed order a description of the categories of damages sought and a computation of any category of economic damages claimed.
- (7) (d)(2) [NO CHANGE]
- (3) If the case is proceeding under C.R.C.P. 16 because of a certification of value filed pursuant to C.R.C.P. 16.1(d), the court has discretion to strike the certification for good cause.
- (4) If all parties are represented by counsel, counsel may timely submit a proposed order and may jointly request the court to dispense with a case management conference. In the event that there appear to be no unusual issues, that counsel appear to be working together collegially, and that the information on the proposed order appears to be consistent with the best interests of all parties and is proportionate to the needs of the case, the court may dispense with the case management conference.

(e) – end [NO CHANGE]

Rule 16.1. Simplified Procedure for Civil Actions

(a) [NO CHANGE]

(b) Actions Subject to Simplified Procedure. Simplified Procedure applies to all civil actions other than:

(1) [NO CHANGE]

(2) civil actions in which any one party seeks monetary judgment from any other party of more than \$100,000, exclusive of reasonable allowable attorney fees, interest and costs., as shown by a statement on the Civil Cover Sheet by the party's attorney or, if unrepresented, by the party, that "In compliance with C.R.C.P. 11, based upon information reasonably available to me at this time, I certify that the value of this party's claims against one of the other parties is reasonably believed to exceed \$100,000."

(c) [NO CHANGE]

- (d) Motion for Exclusion from Simplified Procedure. Simplified Procedure shall apply unless:, no later than 42 days after the case is at issue as defined in C.R.C.P. 16 (b)(1), any party files a motion, signed by both the party and its counsel, if any, establishing good cause to exclude the case from the application of Simplified Procedure.
 - (1) The Civil Cover Sheet includes a certification, signed by both the plaintiff and its counsel, if any, that "In compliance with C.R.C.P. 11, based upon information reasonably available to me at this time, I certify that the value of this party's claims against one of the other parties is reasonably believed to exceed \$100,000."; or
 - (24) No later than 42 days after the case is at issue as defined in C.R.C.P. 16(b)(1), any other party files a certification, signed by both the party and its counsel, if any, Good cause shall be established and the motion shall be granted if a defending party files a statement by its attorney or, if unrepresented, by the party, that "In compliance with C.R.C.P. 11, based upon information reasonably available to me at this time, I certify that the value of this party's claims against one of the other parties is reasonably believed to exceed \$100,000"; or
 - (32) The trial court, in its discretion, may determine other good cause for exclusion, considering factors such as the complexity of the case, the importance of the issues at stake, the parties' relative access to relevant information, the parties' resources, the importance of discovery in resolving the issues, and whether the burden or expense of proposed discovery outweighs its likely benefit.

(e) - (l) [NO CHANGE]

Rule 30. Depositions Upon Oral Examination

(a) [NO CHANGE]

- (b) Notice of Examination: General Requirements; Method of Recording; Production of Documents and Things; Deposition of Organization; Deposition by Telephone.
- (1) (5) [NO CHANGE]
- (6) A party may in his its notice or subpoena name as the deponent a public or private corporation, or a partnership, or association, or governmental agency, or other entity and designate with reasonable particularity the matters on which examination is requested. The named organization so named shall designate one or more officers, directors, or managing agents, or other persons who consent to testify on its behalf, and may set forth, for each person designated, the matters on which he the person will testify. Before a notice is served, or promptly after a subpoena is served, the serving party and the organization shall confer in good faith about the matters for examination. A subpoena shall advise a nonparty organization of its duty to confer with the serving party and to designate each person who will testify. The persons so designated shall testify as to matters known or reasonably available to the organization. This subsection (b)(6) does not preclude taking a deposition by any other procedure authorized in these rules. The duration of a deposition under this subsection (b)(6), regardless of the number of persons designated, is governed by Rule 30(d)(2)(A).
- (7) [NO CHANGE]
- (c) (g) [NO CHANGE]

COMMENTS

1995 - 2015 [NO CHANGE]

2022

Rule 30(b)(6) depositions differ from ordinary depositions and impose additional obligations on both the party taking the deposition and the organization being deposed. First, the serving party must provide advance notice of topics that are sufficiently detailed and reasonable in relation to the time for the deposition such that the organization may fairly prepare a representative(s) to testify. Second, the serving party and the organization must engage in substantive conferral on matters to be covered in the examination. Third, the organization has an obligation to identify and adequately prepare its witness(es) to testify on the specified topics.

Rule 45. Subpoena

(a) - (d) [NO CHANGE]

(e) Subpoena for Deposition; Place of Examination.

- (1) Residents of This State. A resident of this state may be required by subpoena to attend an examination upon deposition only in the county wherein the witness resides or is employed or transacts his business in person, or at such other convenient place as is fixed by an order of court. (2) Nonresidents of This State. A nonresident of this state may be required by subpoena to attend only within forty miles from the place of service of the subpoena in the state of Colorado or in the county wherein the nonresident resides or is employed or transacts business in person or at such other convenient place as is fixed by an order of court.
- (3) Subpoena for deposition of an organization. A subpoena commanding a public or private corporation, partnership, association, governmental agency, or other entity to attend and testify at a deposition is subject to the requirements of Rule 30(b)(6). Responses to such subpoenas are also subject to Rule 30(b)(6).

(f) [NO CHANGE]

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(1) [NO CHANGE]

(2) civil actions in which any one party seeks monetary judgment from any other party of more than \$100,000, exclusive of interest and costs.

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- (d) Exclusion from Simplified Procedure. Simplified Procedure shall apply unless:
 - (1) The Civil Cover Sheet includes a certification, signed by both the plaintiff and its counsel, if any, that "In compliance with C.R.C.P. 11, based upon information reasonably available to me at this time, I certify that the value of this party's claims against one of the other parties is reasonably believed to exceed \$100,000."; or
 - (2) No later than 42 days after the case is at issue as defined in C.R.C.P. 16(b)(1), any other party files a certification, signed by both the party and its counsel, if any, that "In compliance with C.R.C.P. 11, based upon information reasonably available to me at this time, I certify that the value of this party's claims against one of the other parties is reasonably believed to exceed \$100,000"; or
 - (3) The trial court, in its discretion, may determine other good cause for exclusion, considering factors such as the complexity of the case, the importance of the issues at stake, the parties' relative access to relevant information, the parties' resources, the importance of discovery in resolving the issues, and whether the burden or expense of proposed discovery outweighs its likely benefit.

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- (6) A party may in its notice or subpoena name as the deponent a public or private corporation, partnership, association, governmental agency, or other entity and designate with reasonable particularity the matters on which examination is requested. The named organization shall designate one or more officers, directors, or managing agents, or other persons who consent to testify on its behalf, and may set forth, for each person designated, the matters on which the person will testify. Before a notice is served, or promptly after a subpoena is served, the serving party and the organization shall confer in good faith about the matters for examination. A subpoena shall advise a nonparty organization of its duty to confer with the serving party and to designate each person who will testify. The persons so designated shall testify as to matters known or reasonably available to the organization. This subsection (b)(6) does not preclude taking a deposition by any other procedure authorized in these rules. The duration of a deposition under this subsection (b)(6), regardless of the number of persons designated, is governed by Rule 30(d)(2)(A).
- (7) [NO CHANGE]
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COMMENTS

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(f) [NO CHANGE]

County, Colorado	
Court Address:	
Plaintiff(s)/Petitioner(s):	
v.	
Defendant(s)/Respondent(s):	▲ Court Use Only
Judgment Creditor's Attorney or Judgment Creditor (Name and Addre	ss): Case Number:
Phone Number: E-mail: FAX Number: Atty. Reg. #:	Division Courtroom
Writ of Continuing (Garnishment
Read This Whole D	ocument
This writ is in compliance with the requirements of 24-33.5-704.3 an	d 13-54-102, C.R.S. to initiate or maintain a new
raordinary collection action. Certain provisions of these statutes exp	pire on June 1, 2021.
Igment Debtor's name, last known physical and mailing addresses of illing addresses are not known, and other identifying information:	
Original or Revived Amount of Judgment Entered on	
	(date) for \$
	(date) for \$
91 days (Judgment entered prior to August 8, 2001)	(date) for \$
☐91 days (Judgment entered prior to August 8, 2001) ☐182 days (Judgment entered on or after August 8, 2001)	
☐91 days (Judgment entered prior to August 8, 2001) ☐182 days (Judgment entered on or after August 8, 2001) Plus any Interest Due on Judgment (currently% per annum	
☐91 days (Judgment entered prior to August 8, 2001) ☐182 days (Judgment entered on or after August 8, 2001) Plus any Interest Due on Judgment (currently% per annum Taxable Costs (including estimated cost of service of this Writ)	s
☐ 91 days (Judgment entered prior to August 8, 2001) ☐ 182 days (Judgment entered on or after August 8, 2001) Plus any Interest Due on Judgment (currently	\$ \$
☐ 91 days (Judgment entered prior to August 8, 2001) ☐ 182 days (Judgment entered on or after August 8, 2001) Plus any Interest Due on Judgment (currently	\$ \$ \$ \$
□91 days (Judgment entered prior to August 8, 2001) □182 days (Judgment entered on or after August 8, 2001) Plus any Interest Due on Judgment (currently	\$sment Creditor and this is a correct statement as of
□91 days (Judgment entered prior to August 8, 2001) □182 days (Judgment entered on or after August 8, 2001) Plus any Interest Due on Judgment (currently	\$s ment Creditor and this is a correct statement as of planks and not changing anything else on the
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□91 days (Judgment entered prior to August 8, 2001) □182 days (Judgment entered on or after August 8, 2001) Plus any Interest Due on Judgment (currently	s s ment Creditor and this is a correct statement as of planks and not changing anything else on the a change to the original content of this form.
□91 days (Judgment entered prior to August 8, 2001) □182 days (Judgment entered on or after August 8, 2001) Plus any Interest Due on Judgment (currently	\$s ss ment Creditor and this is a correct statement as of planks and not changing anything else on the a change to the original content of this form. Print Judgment Creditor's Name

Writ of Continuing Garnishment THE PEOPLE OF THE STATE OF COLORADO to the Sheriff of any Colorado County or to any person 18 years or older and who is not a party to this action: You are directed to serve Two Copies of this Writ of Continuing Garnishment upon ______, Garnishee, with proper return of service to be made to the Court. To The Garnishee: You Are Summoned as Garnishee in This Action and Ordered: a. To answer the following questions under oath and file your answers with the Clerk of Court AND mail a completed copy with your answers to the Judgment Creditor or attorney no later than 7 days after you have been served with this writ. Your failure to answer this writ of continuing garnishment may result in the entry of a default against you. b. To pay any nonexempt earnings to the party designated in "e" below no less than 7 nor more than 14 days following each time you pay the Judgment Debtor during the effective Garnishment Period of this Writ and attach a copy of the Calculation of the Amount of Exempt Earnings used (the Calculation under "Questions to be Answered by Garnishee" should be used for the first pay period, and one of the multiple Calculation forms included with this Writ should be used for all subsequent pay periods). To deliver a copy of this Writ, together with the Calculation of the Amount of Exempt Earnings, and a blank Objection to Calculation of the Amount of Exempt Earnings form, and an Explanation Of Wage Garnishment In Colorado to Judgment Debtor on the same day the copy of this Writ and Calculation of the Amount of Exempt Earnings are sent to Judgment Creditor. d. To deliver to the Judgment Debtor a copy of each subsequent Calculation of the Amount of Exempt Earnings each time you pay the Judgment Debtor for earnings subject to this Writ. e. Make Checks Payable and Mail To: Judgment Creditor named above (only if the Judgment Creditor is a licensed collection agency pursuant to 5-16-101, et. seq., C.R.S.); 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.) Name: Address: Please - put the case number (shown above) on the front of the check.

Notice to Garnishee

Date: ____

R: 10/201/22

By Deputy Clerk: _____

- a. This Writ applies to all nonexempt earnings owed or owing during the Effective Garnishment Period shown on Line 1a on the front of this Writ or until you have paid to the party, designated in paragraph "e" on the front of this Writ, the amount shown on Line 5 on the front of this Writ, whichever occurs first. However, if you have already been served with a Writ of Continuing Garnishment for Child Support, this new Writ is effective for the Effective Garnishment Period after any prior Writ terminates.
- b. "Earnings" includes all forms of compensation for Personal Services. Also read "Notice to Judgment Debtor" below.
- c. In no case may you withhold any amount greater than the amount on Line 5 on the front of this Writ.
- d. If you determine that the judgment debtor is your employee and the Writ of Continuing Garnishment contains all required information, you are required to send the judgment debtor this Writ of Continuing Garnishment and the document attached to it titled "EXPLANATION OF WAGE GARNISHMENT IN COLORADO" on the same day that you send your answer to this Writ of Continuing Garnishment to the judgment creditor.

CLERK OF THE COURT

Questions to be Answered by Garnishee

Juc	udgment Debtor's Name:	Case Number:
The	ne following questions MUST be answered by you under oath:	
a.	Is the Judgment Debtor your employee? 1. □Yes 2.□No	
b.	Does the Writ of Continuing Garnishment contain: the name of the Judgment addresses of the Judgment Debtor or a statement that the information is not kno sufficient to identify the judgment on which the continuing garnishment is bas Colorado? 1. Yes 2. No	own, the amount of the Judgment, information
C.	On the date and time this Writ of Continuing Garnishment was served upon y any of the following to the Judgment Debtor within the Effective Garnishment Writ? (Mark appropriate box(es)): 1. WAGES/SALARY/COMMISSIONS/BONUS/OTHER COMPENSATION INCLUDING TIPS (Earnings)	Period shown on Line 1a on the front of this
	2. Health, Accident or Disability Insurance Funds or Payments	
	3. ☐Pension or Retirement Benefits (for suits commenced prior to 5/1/91 O	NLY - check front of Writ for date)
	4. Health insurance coverage provided by you and withheld from the indiv	ridual's earnings
	If you marked any box above, indicate how the Judgment debtor is paid: \square we \square other	ekly 🗖 bi-weekly 🗖 semi-monthly 🗖 monthly
	The Judgment Debtor will be paid on the following dates during the Effective of this Writ), starting at least twenty-one days after you were served with	
d.	Are the Judgment Debtor's earnings subject to deductions other than withhold and pursuant to the "Federal Insurance Contributions Act", 26 U.S.C. sec. appropriate boxes and list the nature, number, and amounts of these deductions described by the second of the second	3101 et seq., as amended? If so mark the
	5.)
	6.)
	7. Any additional deductions (Expected Termination Date:)
e.	If in paragraph c. above you marked Box 1 and you did NOT mark either Box 9 each pay period following receipt of this Writ. If you marked either Box 4 or 5 with the first pay period following termination of the prior writ(s).	
f.	If in paragraph c. above you marked Box 2, 3, or 4 and you did NOT mark eithelow for each pay period following receipt of this Writ. If you marked either be beginning with the first pay period following termination of the prior writ(s) that this writ on you. However, there are a number of total exemptions, and you should the earnings are totally exemptions.	ox 5, 6, or 7, you must complete Calculations it is at least twenty-one days after service of

8. The earnings are totally exempt because:

Calculation of The Amount of Exempt Earnings (Each Pay Period)

Gr	oss Earnings for the pay period from		thru	\$
	ss Deductions Required by Law (For nployer-Provided Health Insurance W		- \$	
Dis	sposable Earnings (Gross Earnings le	ess Deductions)		= \$
Le	ss Statutory Exemption (Use Exempt		- \$	
Ne	et Amount Subject to Garnishment		= \$	
Le	ss Wage/Income Assignment(s) Duri	Any)	- \$	
Ar	nount to be withheld and paid			= \$
	EXEMPTION CHART ("Minimum Hourly Wage" means state or federal minimum wage, whichever is greater.)	PAY PERIOD Weekly Bi-weekly Semi-monthly	AMOUNT EXEMPT IS THE GREATING AND A Minimum Hourly Wage or 80 to 8	0% of Disposable Earnings 0% of Disposable Earnings ge or 80% of Disposable

I certify that I am authorized to act for the Garnishee; that the above answers are true and correct; and that I have delivered a copy of this Writ, together with the Calculation of the Amount of Exempt Earnings, a blank Objection to Calculation of the Amount of Exempt Earnings form, and an EXPLANATION OF WAGE GARNISHMENT IN COLORADO form to the Judgment Debtor.

Name of Garnishee (Print)	
Address	
Phone Number	
lame of Person Answering (Print)	
Signature of Person Answering	

Explanation of Wage Garnishment in Colorado

Notice of garnishment to judgment debtor.

Money will be taken from your pay if you fail to act.

1. Why am I getting this notice?

You are getting this notice because a court has ruled that you owe the judgment creditor, who is called "Creditor" in this notice, money. Creditor has started a legal process called a "garnishment". The process requires that money be taken from your pay and given to Creditor to pay what you owe. The person who pays you does not keep the money.

Creditor filled out this form. The law requires the person who pays you to give you this notice. Creditor may not be the person or company to which you originally owed money. You may request that Creditor provide the name and address of the person or company to which you originally owed money. If you want this information, you must write Creditor or Creditor's lawyer at the address at the very beginning of this form. You must do this within 14 days after receiving this notice. Creditor will send you this information at the address you give Creditor. Creditor must send you this information within 7 days after receiving your request. Knowing the name of the original creditor might help you understand why the money will be taken from your pay.

2. How much do I owe?

The amount the court has ruled that you currently owe is listed at the top of the writ of garnishment. The amount could go up if there are more court costs or additional interest. The interest rate on the amount you owe is listed at the top of the Writ of Garnishment. The amount could also go down if you make payments to Creditor.

3. How will the amount I owe be paid?

The person who pays you will start taking money from your paycheck on the first payday that is at least 14 days after the day the person who pays you sends you this notice. Money will continue to be taken from your pay for

R: 10/201/22

up to 6 months. If the debt is not paid off or not likely to be paid off by that time, Creditor may serve another garnishment.

The rules about how much of your pay can be taken are explained in the notice of Colorado Rules About Garnishment that you received with this notice. This notice also contains an estimate of how much of your pay will likely be withheld each paycheck.

At any time, you can get a report that shows how the amount taken from your pay was calculated. To receive this report, you must write or e-mail the person who pays you.

4. Do I have options?

Yes, you have several options, here are three of them:

- A. You can talk with a lawyer: A lawyer can explain the situations to you and help you decide what to do. The self-help desk of the court where the garnishment action is pending can provide you help with resources to find a lawyer.
- B. You can contact Creditor: If you can work something out with Creditor, money might not have to be taken from your pay. The Creditor's contact information is on the first page of the writ of garnishment.
- C. You can request a court hearing: A hearing could be helpful if there are disagreements about the garnishment, the amount the court has ruled that you owe, whether the amount of money being withheld from your paycheck is correct, or whether the amount being withheld should be reduced to help you support your family and yourself. If you disagree with the estimate of the amount of money that will be withheld from your paycheck, you must attempt to work this out with the person who pays you before going to court. You must do this within 7 days after receiving this notice. If you cannot work it out with the person who pays you, you may seek a hearing in court. If you want a court hearing, you must request one. If you think that you need more money to support your family and yourself, you may seek a court hearing without consulting the person who pays you. For help requesting a hearing, contact the self-help desk of the court where the garnishment action is pending.

5. What if I don't do anything?

If you don't do anything, the law requires that money be taken out of your paycheck beginning with the first payday that is at least 14 days after the day the person who pays you sends you this notice. The money will be given to Creditor. This process will continue for 6 months unless your debt is paid off before that.

6. How does garnishment work in Colorado?

Only a portion of your pay can be garnished. The amount that can be withheld from your pay depends on something called "disposable earnings". Your disposable earnings are what is left after deductions from your gross pay for taxes and certain health insurance costs. Your paycheck stub should tell what your disposable earnings are.

The amount of your disposable earnings that can be garnished is determined by comparing two numbers: (1) 20% of your disposable earnings and (2) the amount by which your disposable earnings exceed 40 times the minimum wage. The smaller of these two amounts will be deducted from your pay.

If you think that your earnings after garnishment are not enough to support yourself and any members of your family that you support, you can try to have the amount of your disposable earnings that are garnished further reduced. This is discussed earlier in this notice under **4. Do I have options?**

Your employer cannot fire you because your earnings have been garnished. If your employer does this in violation of your legal rights, you may file a lawsuit within 91 days of your firing to recover wages you lost because you were fired. You can also seek to be reinstated to your job. If you are successful with this lawsuit, you cannot recover more than 6 weeks wages and attorney fees.

Based on your most recent paycheck, the person who pays you estimates that	\$ will be withheld
from each paycheck that is subject to garnishment.	

R: 10/201/22

☐County Court ☐Dis				
Court Address:	County,	Colorado		
Plaintiff(s)/Petitioner(s)):			
v.				DOUBT HOE ONLY
Defendant(s)/Respond	lent(s):		A (COURT USE ONLY
Judgment Creditor's Atto	rney or Judgment Cred	ditor (Name and Address):	Case Num	nber:
Phone Number:	F-r	nail:		
FAX Number:		/. Reg. #:	Division	Courtroom
Writ	of Garnishment	with Notice of Exempti	on and Pend	ling Levy
This writ is in compliance xtraordinary collection action	•	of 24-33.5-704.3 and 13-54-1	102, C.R.S. to in	itiate or maintain a new
Certain provisions of these s	statutes expire on June	e 1, 2021.		
he Judgment creditor is (ch	neck one): 🗖a license	ed collection agency pursuant	-	t. seq., C.R.S.; □represented
y an attorney; or □ not rep ∹R.S.	resented by an attorne	ey and is not a licensed collec-	tion agency purs	suant to §5-16-101 et. seq.,
udgment Debtor's name, la	ist known address, oth	ner identifying information:		
. Original Amount of Judgr	ment Entered	(dat	e)	
. Plus any Interest Due on	Judgment (currently_	% per annı	ım)	+ \$
Taxable Costs (includingLess any Amount Paid		,		+ \$ - \$
. Principal Balance/Total A		-		= \$
		filling in the blanks and not change to the o		
		Verification		
declare under penalty of pe	erjury under the law of		s true and correc	ct and I am authorized to act fo
ne Judgment Creditor.				
rinted name of Judgment (Creditor	_		
J				
Address	City	St	ate	Zip Code
xecuted on the day (date)	y of (month)	,, at (year) (city or oth	ner location, and	state OR country)
(2015)	,,	(5.5)		, , , , , , , , , , , , , , , , , , ,
rinted name of Authorized	Dorty		- 1 D / T:tl	
	Faily	Signature of Authorize	ed Party (Title_a	nd Phone No.)
Address	City	Signature of Authorize	ed Party (Title_,a	nd Phone No.) Zip Code

Writ of Garnishment with Notice of Exemption and Pending Levy

With or Garmshillerit with Notice of Exemption and Fending Levy
THE PEOPLE OF THE STATE OF COLORADO to the Sheriff of any Colorado County, or to any person 18 years or older as who is not a party to this action:
You are directed to serve a copy of this Writ of Garnishment upon, Garnishe 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 complete 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 control, including the debts, credits, choses in action or money owed to the Judgment Debtor whether they are due 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 as 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 questions 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 Judgme Debtor or did you owe any rents, payments, obligations, debts or moneys other than earnings to the Judgment Debtor? YES NO 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? QNO 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 true and correct.
Name of Garnishee (Print)
Executed on the day of,, at
(Printed name of Person Answering) Signature of Person Answering

R: <u>1/22</u>

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.** Through February 1, 2021, up to four thousand 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.

R: 1/22

□County Court □Distric	t Court County, Co	olorado			
Court Address:					
Disintiff(s)/Datition or(s):					
Plaintiff(s)/Petitioner(s):					
V.	A			64	OURT HEE ONLY
Defendant(s)/Respondent(s	h):		4		OURT USE ONLY
Judgment Creditor's Attorney of	or Judgment Creditor	(Name and A	Address):	Case Numb	per:
Phone Number: FAX Number:	E-mail: Atty. Re	eg. #:		Division	Courtroom
Writ of Ga	arnishment – Ju	dgment De	ebtor other	than Natura	al Person
This writ is in compliance with textraordinary collection action. udgment Debtor's name, last known of Judgment E. Plus any Interest Due on Judg. Taxable Costs (including estimates any Amount Paid E. Principal Balance/Total Amount Declare under penalty of perjoin action.	Entered ment (currently nated cost of service of the Due and Owing ury under the law of	dentifying info	rmation:(date) num)		\$
and the foregoing is true and contact th			. at		
Executed on the day o	(month)	(year)	(city or c	ther location	, and state OR country)
Printed name of Judgment Cr	editor				
Address of Judgment Creditor	:				
City			State		Zip Code
By: Printed name			Signature		
Address: City		State	Zip C	ode	Phone

Writ of Garnishment

		E OF THE STATE OF party to this action:	COLORADO to the She	eriff of any Colorado Co	unty, or to any perso	n 18 years or older and	
You retu	ı are dire ırn of ser	cted to serve a copy vice to be made to the	of this Writ of Garnishm Court.	ent upon	,	Garnishee, with proper	
_	U ARE H To answ copy wit	ver the following quest	AS GARNISHEE IN THI ions under oath and file udgment Creditor or atto	your answers with the (Clerk of the Court (A		
		Your failure to	answer this writ with no	tice may result in the er	try of a default agair	nst you.	
b. To hold pending court order any personal property owed to or owned by the Judgment Debtor and in your posses control on the date and time this Writ was served upon you.							
a. b.	or contro In no ca persona	it of Garnishment appli ol as of the date and ti se may you withhold il property is incapable	es to all personal propert me this Writ was served any personal property gro of being divided. ne following questions, and	upon you. eater than the amount o	on Line 5 on the fron	t of this Writ unless the	
	Creditor applicab (Must se to 5-16-	is a licensed collection ble); or to the Clerk elect if the Judgment Clot, et. seq., C.R.S.)		6-101, et. seq., C.R.S.) □ District Court in d by an attorney AND is	the Judgment Ci	reditor's Attorney (if (city), Colorado	
	Name: _ Address						
	PLEASE	PUT THE CASE NU	MBER (above) ON THE	FRONT OF THE CHEC	K.		
CLE	ERK OF T	THE COURT	By D	eputy Clerk:			
			Questions to be A				
Juc	dgment	Debtor's Name:			Case Number:		
The	e following	g questions MUST be	answered by you:				
	a.	Judgment Debtor or	this Writ was served upodic did you owe any rents, pa	ayments, obligations, de			
	b.	If YES, list all items of	f personal property and t	heir location(s) and/or c	lescribe the nature a	nd amount of the debt	
		or obligation: (Attach	additional pages is nece	essary):			
	C.	Do you claim any set □YES □NO	off against any property,	debt or obligation listed	above?		
	d.	-	to question c, describe t				

Verification

I declare under penalty of perjury under the law above answers are true and correct.	of Colorado th	nat I am authorized to act for the Gar	rnishee and the
Executed on the day of(date) (month)	, (year)	, at(city or other location, and state	OR country)
Printed name of Garnishee			
Address of Garnishee:City	State	Zip Code	Phone
By: Printed name of Person Answering		Signature of Person Answering	

	ounty, Colorado	0		
Court Address:	·			
Plaintiff(s)/Petitioner(s):			_	
v.				
Defendant(s)/Respondent(s):			▲ cou	RT USE ONLY
Attorney or Party without Attorney (Name	e and Address):		Case Number	:
Phone Number: FAX Number:	E-mail: Atty. Reg. #	:	Division	Courtroom
Writ of (in Aid of Writ	of Attachment	
This writ is in compliance with the require xtraordinary collection action. Certain provide dministrator to a date not later than February defendant in Attachment's name, last k	isions of these s ary 1, 2021.	statutes expire on N	ovember 1, 2020, un	less extended by the
 Original Amount of Claim Plus any Interest Due on Claim (curren Taxable Costs (including estimated cost) 			+	\$ \$ \$
 Less any Amount Paid Principal Balance/Total Amount Due ar 	nd Owing		=	\$
. Principal Balance/Total Amount Due ar	Ve	erification lorado that I am a	=	\$
	Ver the law of Co	lorado that I am a	=	\$
Principal Balance/Total Amount Due ar declare under penalty of perjury under trachment and the above answers are executed on the day of	Ver the law of Co	lorado that I am a ect.	= uthorized to act for	the Plaintiff in
Principal Balance/Total Amount Due ar declare under penalty of perjury under ttachment and the above answers are	Ver the law of Co	lorado that I am a ect.	= uthorized to act for	\$
Principal Balance/Total Amount Due ar declare under penalty of perjury under trachment and the above answers are executed on the day of	the law of Co true and corre	lorado that I am a ect.	= uthorized to act for	the Plaintiff in
declare under penalty of perjury under trachment and the above answers are executed on the day of (month)	the law of Co true and corre	lorado that I am a ect.	= uthorized to act for	the Plaintiff in
declare under penalty of perjury under ttachment and the above answers are executed on the day of (month)	ver the law of Co	lorado that I am a ect.	= uthorized to act for	the Plaintiff in
declare under penalty of perjury under trachment and the above answers are xecuted on the day of (month) Printed name of Plaintiff in Attachment.	the law of Co true and corre	lorado that I am a ect. , at (year) (city	= uthorized to act for or other location, a	the Plaintiff in Ind state OR country Zip Code
declare under penalty of perjury under ttachment and the above answers are executed on the day of (month) Printed name of Plaintiff in Attachment: City: Printed name and Title of Person Address: ddress:	the law of Co true and corre	lorado that I am a ect. , at (year) (city o	uthorized to act for or other location, a	the Plaintiff in Ind state OR country Zip Code
declare under penalty of perjury under ttachment and the above answers are executed on the day of (month) Printed name of Plaintiff in Attachment: City: Printed name and Title of Person A	the law of Co true and corre	lorado that I am a ect. , at (year) (city	uthorized to act for or other location, a	the Plaintiff in Ind state OR country Zip Code
declare under penalty of perjury under ttachment and the above answers are executed on the day of (month) Printed name of Plaintiff in Attachment: City: Printed name and Title of Person Address: ddress:	the law of Co true and corre	lorado that I am a ect. , at (year) (city o	uthorized to act for or other location, a	the Plaintiff in Ind state OR country Zip Code

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 answer to the Plaintiff in Attachment or attorney when a stamped envelope is attached) within 14 days following service of this Writ upon you.

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

b. To hold pending court order any personal property (other than earnings of a natural person) owed to or owned by the Defendant in Attachment and in your possession or control on the date and time this Writ was served upon you.

You Are Notified:

- **a.** This Writ applies to all personal property (other than earnings of a natural person) owed to or owned by the Defendant in Attachment 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.	-	• •			amount ordered PAYABLE TO	
	CLERK OF THE COURT		By De	eputy Clerk: _		
			Date:			
		Ques	tions to be A	nswered	by Garnishee	
Def	fendant i	n Attachment's Name:			Case Number:	
The	e followin	g questions MUST be answer	ed by you:			
	a.		did you owe any re		you possess or control any p s, obligations, debts or money	
	b.				neir location(s) and/or describe	
	c.	Do you claim any setoff aga	inst any property, o	debt or obligat	ion listed above? \(\begin{align*} \text{YES} \\ \end{align*}	□no
	d.	If you answered YES to que	stion c, describe th	ne nature and	amount of the setoff claimed:	
		(Attach additional pages if no	ecessary):			
		nder penalty of perjury und wers are true and correct.		rification orado that I a	am authorized to act for the	Garnishee and the
Exe	ecuted o	on the day of (date) (mont	h) (year) at _	city or other location, and	state OR country
Pr	inted na	me of Garnishee				
Ado	dress of	Garnishee:				
		City		State	Zip Code	Phone

By:	
Printed name of Person Answering	Signature of Person Answering

District Court County Court County, Colorado Court Address:	
Plaintiff(s)/Petitioner(s):	▲ COURT USE ONLY ▲
∀-	Case Number:
Defendant(s)/Respondent(s):	Di Maria
	Division: Courtroom:
NOTICE TO JUDGMENT DEBTOR PURSUANT TO	9 §24-33.5-704.3, C.R.S.

This form is applicable until November 1, 2020, unless extended by the Administrator to a date not later than February 1, 2021.

TO THE JUDGMENT DEBTOR(S):

YOU HAVE THE RIGHT TO TEMPORARILY SUSPEND THIS COLLECTION ACTION IF YOU ARE FACING FINANCIAL HARDSHIP DUE TO THE COVID-19 EMERGENCY.

Judgment Creditor Name:	
Judgment Creditor Address:	
Case Number:	
Phone:	

The above judgment creditor intends on executing a collection action against you. If you have experienced financial hardship due to the COVID-19 emergency, directly or indirectly, you have the right to suspend temporarily this extraordinary collection action. The suspension is effective until November 1, 2020, or February 1, 2021, if the State of Colorado extends the period of suspension.

To exercise this right, you must notify the judgment creditor that you are experiencing financial hardship due to the COVID-19 emergency. You can provide this notice by phone call or by writing to the creditor at the address shown in this notice. Your notification to the judgment creditor must include your full name (first and last), the case number identified above and at least one (1) additional piece of the following information: your date of birth, social security number, physical and

mailing addresses, or the judgment creditor's internal account number or identifier, if different from the case number designated above. You are not required to provide documentation to support your request.

Note: Requesting the temporary suspension of this extraordinary debt collection action is not a waiver to the obligation to pay or debt forgiveness, Interest may continue to accrue on the judgment debt even while the extraordinary collection actions are suspended.

You may enter into a voluntary repayment plan with the judgment creditor, but you are not required to do so.

Court Address:		County, Colorado		
PLAINTIFF(S):				
Address:				
City/State/Zip:				
Phone: Home	Work	Cell	_	
∨. DEFENDANT(1):			A 00	NURT HOE ONLY A
				DURT USE ONLY A
Phone: Home	Work	Cell		
DEFENDANT(2):				S
City/State/Zip:				
Phone: Home	Work	Cell	Division	Courtroom
NOTICE	, CLAIM AND S	UMMONS TO APPEAR	R FOR TRIAL	(Part 1)
		n-line at www.sos.state.co.us e. Please enter name a		
this Notice by a persor	t is my/our responsil n whose age is 18 ye Court with written pr s □No	bility to have each Defenda ears or older and who is not roof of service. Yes No	a party to this a	
To the Defendant(s):	Notice ar	nd Summons to Appear for	rırıaı	
You are scheduled to hat the Court address state establish your defense.	ed in the above cap If you do not apper bunterclaim, you mus	ease on otion. Bring with you all boo ear, judgment may be ente st provide a written response ole filing fee.	oks, papers and ered against you	witnesses you need to u. If you wish to defend
Dated:		Clark of Court/D	anuta Clark	
he Defendant(s) owe(s) r nd/or should be ordered	ne \$to return property, p	ons to support your claim, which includes penalties erform a contract or set asia return of property, please d	s, plus interest a de a contract or	nd costs allowed by law, comply with a restrictive
we declare under penalty ed in any Small Claims C	of perjury under the ourt in this County m	e performance or cost to remedy e law of Colorado that the fo ore than 2 claims during this	regoing is true a	nd correct. I/we have not
this County this calenda	•			

JDF 250_SC R <u>1</u>2-2<u>2</u>0 (PART 1/ PAGE 1) COPY

Plaintiff's Signature

Small Claims Court Court Address:		County, Colorado	
PLAINTIFF(S):			_
City/State/Zip:			_
Phone: Home	Work	Cell	-
∨. DEFENDANT(1):			
			A 00.115-110-01111/
City/State/Zip:			Case Number:
Phone: Home	Work	Cell	_
DEFENDANT(2):			
Address:			_
City/State/Zip:			_
Phone: Home	Work	Cell	Division Courtroom
NOTICE	. CLAIM AND S	UMMONS TO APPEAR	
the registered agent for	service of this no 	otice. Please enter name a	and address of the agent. Name: Address:
covenant or security de 3. I/We understand that it this Notice by a person	eposit dispute. Ye t is my/our responsil whose age is 18 ye Court with written pr	es □No bility to have each Defendant	ject of claim(s) arising from a restrictive served with the "Defendant's Copy" or party to this action 15 days prior to the
To the Defendant(s):	Notice ar	nd Summons to Appear for	Trial
	ave your trial in this	case on	(date) at (time)
			(date) at (time) ks, papers and witnesses you need to
	ounterclaim, you mus	st provide a written response o	ed against you. If you wish to defend or written counterclaim on or before the
Dated:			
Disintiff(a)/a Claim /Disca		Clerk of Court/Depons to support your claim be	outy Clerk
The Defendant(s) owe(s) me \$ be ordered to return property,	5, v , perform a contract or	which includes penalties, plus inte	erest and costs allowed by law, and/or should with a restrictive covenant for the following
I/we declare under penalty	of perjury under the ourt in this County m	law of Colorado that the fore	a covenant violation cannot exceed \$7,500.00 going is true and correct. I/we have no alendar month, nor more than 18 claims
Dated:			
		Plaintiff's Sig	nature

	u must complete and fi				of Defendant's co	
	fendant's Response (If nintiff(s) because:	responding, pay the a	appropriate filing fee).	I do not owe	the Plaintiff(s) or ar	n not responsible to the
	familiant's Occuptoral simple	(16			- \	
The ord	fendant's Counterclaim e Plaintiff(s) owe(s) me \$ lered to return property, p seeking return of property	erform a contract or se	hich includes penalties et aside a contract or co	, plus interest emply with a re	and costs allowed	
	The amount of my/our The amount of my/our amount that I/we wish	counterclaim exceeds	the jurisdictional amo			
	The amount of my/our case sent to □Count □District Court (I /we	counterclaim exceeds y Court (only if I/we do not wish to limit the	s the jurisdictional amo wish to limit the amou e amount I/we can reco	unt I/we can r ver from the F	ecover from the pleantiff(s)) and will p	nd I/we wish to have the laintiff to \$4525,000.00) by the appropriate filing
I de	•	es \(\text{No}\) erjury that this informa		t and that I ma		
			Defendant's A	ddress		
Def	fendant's Signature	Date	Telephone #:	Home	Work	Cell
Α.	Filing Fees.	Information 1	for Defendants in S	mall Claims	Cases	
Α.	Response without a count	erclaim:				

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.
- 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.
- 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.
- 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.
- 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.
- 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.

Court Address:					
PLAINTIFF(S):			_		
Address:					
City/State/Zip:					
Phone: Home	Work	Cell			
v. DEFENDANT(1):			A 00	NURT HOE ONLY	
				OURT USE ONLY er:	
					
		Cell			
DEFENDANT(2):				S	
Address:					
City/State/Zip:					
Phone: Home	Work	Cell	Division	Courtroom	
NOT	ICE. CLAIM AND S	UMMONS TO APPEAR	R FOR TRIAL	(Part 3)	
		on-line at <u>www.coloradosos</u> otice. Please enter name			me:
 The Defendant(s) is a student in this concoverant or securion. I/We understand the 	reside(s), is/are regularly bunty, or real property lo ty deposit dispute. Ye hat it is my/our responsi	rice: Yes No Unknow of employed, has/have an officated in this county is the set No ibility to have each Defendatears or older and who is not	ce for the transacubject of claim(s) Int served with the	arising from a restrine "Defendant's Cop	/are
 The Defendant(s) is a student in this concoverant or securified. I/We understand the this Notice by a pertrial and to provide 	reside(s), is/are regularly bunty, or real property lo ty deposit dispute. Ye hat it is my/our responsions whose age is 18 ye the Court with written p	r employed, has/have an office cated in this county is the sign of the sign o	ce for the transac ubject of claim(s) nt served with the a party to this a	tion of business, or is arising from a restri	/are ctive
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Plaintiff's Signature

NOTICE, CLAIM AND SUMMONS TO APPEAR FOR TRIAL

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.

Small Claims Court		County, Colorado		
Court Address:				
PLAINTIFF(S):				
` `				
		Cell		
∨. DEFENDANT(1):			_	NUDT LISE ONLY
				OURT USE ONLY
		Cell		
				S
'		Cell		Courtroom
		UMMONS TO APPEA		(Part 1)
a student in this county covenant or security do I/We understand that it this Notice by a persor trial and to provide the I am an attorney: □Ye To the Defendant(s): You are scheduled to he	de(s), is/are regularly y, or real property loceposit dispute. The tis my/our responsion whose age is 18 years. Court with written press No Notice are ave your trial in this contact.	bility to have each Defendears or older and who is no roof of service. Yes Note that the service of the serv	fice for the transactsubject of claim(s) ant served with the ot a party to this according.	arising from a restrictive ne "Defendant's Copy" o ction 15 days prior to the (time)
establish your defense.	If you do not appe ounterclaim, you must pay a nonrefundat	ear, judgment may be enset provide a written responsible filing fee.	tered against you se or written count	 If you wish to defend
 laintiff(s)'s Claim (Place	eo cummarizo roaco	Clerk of Court ons to support your clain	Deputy Clerk	
he Defendant(s) owe(s) me hould be ordered to return	e \$ property, perform a co	, which includes penalties, pontract or set aside a contract please describe the property	olus interest and co	restrictive covenant for the
we declare under penalty	of perjury under the ourt in this County m	ic performance or cost to reme law of Colorado that the f ore than 2 claims during th	oregoing is true ar	nd correct. I/we have no
Pated:				
		Plaintiff's	Signature	

Plaintiff's Signature

Case Name	v		Case Number:	
		OF SERVICE		
I swear/affirm under oath that Claim, and Summons to App	t I am 18 years or older a	nd not a party to the	action, and that I serve	ed the <i>Notice</i>
Name of Person Served	Date and Time of	f Service	Address of Service (Street, County, City, S	tate)
Check type of Service:				
■ By identifying the docume	s to a person identified to n nts, offering to deliver them the documents in a conspic	to a person identified	to me as the Defenda	nt who refused
	s at the Defendant's usual er of the Defendant's fam			
■ By leaving the documents	s at the Defendant's usual dant's secretary, administra			
■ By leaving the documents	s with	(Name of Perso	on), who as	(title
□ By leaving the documents pursuant to C.R.C.P. 304 which was to be served. (ent or by law to receive sers with an officer, partner, ma Circle title of person who was as follows (other service u	anager, stockholder, e (please identify) of t as served.)	elected official or function he corporation or non-c	corporate entit
I have charged the following fees ☐ Private process server	for my services in this matter:			·
Sheriff, Mil	County			
гее ф імп	eage \$	Signature of Pro	cess Server	
		Name (Print or t	ype)	
Subscribed and affirmed, o	r sworn to before me i			, State o
My Commission Expires:		Notary Public		
I hereby certify that on SUMMONS TO APPEAR FOR address(es) listed above.	CERTIFICATE OF S (To be performed by Cler	k within three days of	filing) brrect copy of the NOTIC	
		Clerk of Court/E	Deputy Clerk	
☐ (If applicable) Plaintiff(s) notifie	ed of non-service on (date)		Clerk's Initials	
JDF 250 SC R <u>1</u> 2-2 <u>2</u> 0 (PART 4/ PARCOPY			O APPEAR FOR TRIAL	

☐FORM 1.2. DISTRICT COURT CIVIL (CV) CASE COVER SHEET FOR INITIAL PLEADING OF COMPLAINT, COUNTERCLAIM, CROSS-CLAIM OR THIRD PARTY COMPLAINT AND JURY DEMAND

DISTRICT COURT CIVIL (CV) CASE COVER SHEET FOR INITIAL PLEADING OF COMPLAINT, COUNTERCLAIM, CROSS-CLAIM OR THIRD PARTY COMPLAINT AND JURY DEMAND				
TAX INGILIOCI.	miy. Reg. #.			
Phone Number: FAX Number:	E-mail: Atty. Reg. #:			
Attorney or Party Witho	out Attorney (Name and Address):	Case Number:		
v. Defendant(s):		▲ COURT USE ONLY ▲		
Plaintiff(s):				
Court Address:				
District Court	County, Colora	ado		

- 1. This cover sheet shall be filed with the initial pleading of a complaint, counterclaim, cross-claim or third party complaint in every district court civil (CV) case. It shall not be filed in Domestic Relations (DR), Probate (PR),—Water (CW), Juvenile (JA, JR, JD, JV), or Mental Health (MH) cases or in Water (CW) proceedings subject to sections 37-92-302 to 37-92-305, C.R.S. Failure to file this cover sheet is not a jurisdictional defect in the pleading but may result in a clerk's show cause order requiring its filing.
- 2. Simplified Procedure under C.R.C.P. 16.1 **applies** to this case **unless** (check one box below if this party asserts that C.R.C.P. 16.1 **does not** apply):
 - ☐ This is a class action, forcible entry and detainer, Rule 106, Rule 120, or other similar expedited proceeding, **or**
 - □ This party is seeking a monetary judgment against another party <u>for of more</u> than \$100,000.00, <u>including any penalties or punitive damages</u>, <u>but excluding attorney fees</u>, <u>exclusive of interest</u> and costs, as supported by the following certification:

By my signature below and in compliance with C.R.C.P. 11, based upon information reasonably available to me at this time, I certify that the value of this party's claims against one of the other parties is reasonably believed to exceed \$100,000.

Or

Another party has previto this case.	ously filed a cover sheet stating that C.R.C.P. 16.1 does not apply
3. This party makes a Jur (Checking this box is option	y Demand at this time and pays the requisite fee. <i>See</i> C.R.C.P. 38. nal.)
Date:	Signature of Party or Attorney for Party
Date:	Signature of Attorney for Party (if any)

NOTICE

This cover sheet must be served on all other parties along with the initial pleading of a complaint, counterclaim, cross-claim, or third party complaint.

INSTRUCTIONS TO COMPLETE DISTRICT CIVIL (CV) CASE COVER SHEET JDF 601 FOR INITIAL PLEADING OF COMPLAINT, COUNTERCLAIM, CROSS-CLAIM, OR THIRD PARTY COMPLAINT, RULE 16.1 SIMPLIFIED PROCEDURE

These standard instructions 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.

GENERAL INFORMATION

- ◆ As of July 1, 2004, the JDF 601 case cover sheet is required by C.R.C.P. 16.1 Simplified Procedure for all District Civil (CV) actions filed on or after that date. This cover sheet must be filed with the complaint and any counterclaim, cross-claim, or third party complaint.
- ◆ If you fail to file a Case Cover Sheet with such a pleading, you will be notified by the Court that you need to file a Case Cover Sheet and must then do so within the time stated by the Court, or the Court may impose sanctions, including striking this pleading.
- 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

STEPS TO COMPLETE CIVIL CASE COVER SHEET

Step 1:	Complete Caption.
☐ Ide	ntify the name of the county and court address where you plan to file your papers.
	ntify the name of the Plaintiff(s) and Defendant(s). If you have multiple Plaintiffs or Defendants, list only first Plaintiff or Defendant.
☐ Co	mplete the identifying information for the party or attorney completing the Case Cover Sheet.
	ce you file your papers, the Court will assign a case number and division and will indicate such on the se Cover Sheet.
	case number has already been assigned, you must still complete the Case Cover Sheet and insert the se number.
Step 2:	Complete Item 2.
☐ Ch	eck the applicable box if the Simplified Procedure applies to your case.
or	
box	eck the applicable box if the Simplified Procedure does not apply to your case. If you have checked this c, you must also check one of the three boxes within this section to identify why the Simplified ocedure does not apply. The three options are identified below:
	Some civil actions are automatically excluded and are not subject to C.R.C.P. 16.1. If you are filing a class action, domestic relations case, juvenile case, mental health case, probate case, water law casea water law proceeding subject to sections 37-92-302 to 37-92-305, C.R.S., forcible entry and detainer, Rule 106 or 120, petition to seal criminal record, distraint warrant, county court or municipal appeal, or a writ of habeas corpus civil action your case is not subject to the simplified procedure.
	or
	Simplified Procedures does not apply if you are seeking a monetary judgment for more than \$100,000.00 against any other party, including attorney fees, penalties or punitive damages, but excluding interest and costs, as well as the value of any equitable relief sought.
	or

	Simplified Procedures does not apply if another party has previously indicated in a Civil Case Cover Sheet that the Simplified Procedure under C.R.C.P 16.1 does not apply to your case.
Step 3	Complete Item 3. (Optional)
<u> </u>	ou can request a jury trial and pay the requisite fee at this time. If you check this box, your filing fee must clude the jury demand fee. Please refer to C.R.C.P. 38 for your right to request a jury trial and waiving the left to a jury trial. If you are making a jury demand pursuant to §38-1-106, C.R.S., a jury demand fee is not required for a jury six freeholders. However, if you are requesting a jury of freeholders in excess of six (including alternates) advance deposit of \$50.00 per extra juror for one day of service is required. For example, if you demand tury of 12, an advance deposit of \$300.00 (\$50.00 x 6) is required.
Step 4	Sign and Date Civil Case Cover Sheet. ne party or the Attorney, if applicable, must date and sign the Civil Case Cover Sheet.
_	to party of the Atterney, if applicable, must date and sign the offin dase dover officer.

Court Address:	
Plaintiff(s)/Petitioner(s):	
v.	
Defendant(s)/Respondent(s):	
	▲ Court Use Only
Judgment Creditor's Attorney or Judgment Creditor (Name and	d Address): Case Number:
Phone Number: E-mail:	
FAX Number: Atty. Reg. #:	Division Courtroom
Writ of Continui	ing Garnishment
Read This Who	ole Document
dgment Debtor's name, last known physical and mailing addre ailing addresses are not known, and other identifying information	esses or a statement that Judgment Debtor's physical and ion:
Original or Revived Amount of Judgment Entered on	(date) for \$
 a. Effective Garnishment Period □91 days (Judgment entered prior to August 8, 2001) □182 days (Judgment entered on or after August 8, 2000) 	11)
Plus any Interest Due on Judgment (currently% per a	
Taxable Costs (including estimated cost of service of this Writer)	it) \$
	\$
Less any Amount Paid	
Less any Amount Paid Principal Balance/Total Amount Due and Owing	\$
•	·
Principal Balance/Total Amount Due and Owing affirm under penalty of perjury that I am authorized to act for the determine (date). By checking this box, I am acknowledging I am filling in	e Judgment Creditor and this is a correct statement as of
Principal Balance/Total Amount Due and Owing affirm under penalty of perjury that I am authorized to act for the (date).	ne Judgment Creditor and this is a correct statement as of n the blanks and not changing anything else on the
Principal Balance/Total Amount Due and Owing affirm under penalty of perjury that I am authorized to act for the (date). By checking this box, I am acknowledging I am filling ir rm.	ne Judgment Creditor and this is a correct statement as of n the blanks and not changing anything else on the

TU	Writ of Continuing Garnishment E PEOPLE OF THE STATE OF COLORADO to the Sheriff of any Colorado County or to any person 18 years or older and
	o is not a party to this action:
You	u are directed to serve Two Copies of this Writ of Continuing Garnishment upon, Garnishee
witl	h proper return of service to be made to the Court.
То	The Garnishee: You Are Summoned as Garnishee in This Action and Ordered:
a.	To answer the following questions under oath and file your answers with the Clerk of Court AND mail a completed copy with your answers to the Judgment Creditor or attorney no later than 7 days after you have been served with this writ. You failure to answer this writ of continuing garnishment may result in the entry of a default against you.
b.	To pay any nonexempt earnings to the party designated in "e" below no less than 7 nor more than 14 days following each time you pay the Judgment Debtor during the effective Garnishment Period of this Writ and attach a copy of the Calculation of the Amount of Exempt Earnings used (the Calculation under "Questions to be Answered by Garnishee" should be used for the first pay period, and one of the multiple Calculation forms included with this Writ should be used for all subsequent pay periods).
C.	To deliver a copy of this Writ, together with the Calculation of the Amount of Exempt Earnings, and a blank Objection to Calculation of the Amount of Exempt Earnings form, and an Explanation Of Wage Garnishment In Colorado to Judgmen Debtor on the same day the copy of this Writ and Calculation of the Amount of Exempt Earnings are sent to Judgmen Creditor.
d.	To deliver to the Judgment Debtor a copy of each subsequent Calculation of the Amount of Exempt Earnings each time you pay the Judgment Debtor for earnings subject to this Writ.
e.	Make Checks Payable and Mail To: □Judgment Creditor named above (only if the Judgment Creditor is a licensed collection agency pursuant to 5-16-101, et. seq., C.R.S.); □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.)
	Name:
	Address:
	Please - put the case number (shown above) on the front of the check.
	CLERK OF THE COURT By Deputy Clerk:
	Date:

Notice to Garnishee

- a. This Writ applies to all nonexempt earnings owed or owing during the Effective Garnishment Period shown on Line 1a on the front of this Writ or until you have paid to the party, designated in paragraph "e" on the front of this Writ, the amount shown on Line 5 on the front of this Writ, whichever occurs first. However, if you have already been served with a Writ of Continuing Garnishment for Child Support, this new Writ is effective for the Effective Garnishment Period after any prior Writ terminates.
- b. "Earnings" includes all forms of compensation for Personal Services. Also read "Notice to Judgment Debtor" below.
- c. In no case may you withhold any amount greater than the amount on Line 5 on the front of this Writ.
- d. If you determine that the judgment debtor is your employee and the Writ of Continuing Garnishment contains all required information, you are required to send the judgment debtor this Writ of Continuing Garnishment and the document attached to it titled "EXPLANATION OF WAGE GARNISHMENT IN COLORADO" on the same day that you send your answer to this Writ of Continuing Garnishment to the judgment creditor.

Questions to be Answered by Garnishee

Juc	dgment Debtor's Name: Case Number:	
The	e following questions MUST be answered by you under oath:	
a.	Is the Judgment Debtor your employee? 1. □Yes 2.□No	
b.	Does the Writ of Continuing Garnishment contain: the name of the Judgment Debtor, the last-known physical and addresses of the Judgment Debtor or a statement that the information is not known, the amount of the Judgment, info sufficient to identify the judgment on which the continuing garnishment is based, an Explanation of Wage Garnish Colorado? 1. Yes 2. No	rmation
c.	On the date and time this Writ of Continuing Garnishment was served upon you, did you owe or do you anticipate any of the following to the Judgment Debtor within the Effective Garnishment Period shown on Line 1a on the from Writ? (Mark appropriate box(es)): 1. WAGES/SALARY/COMMISSIONS/BONUS/OTHER COMPENSATION FOR PERSONAL SERVICES NOT INCLUDING TIPS (Earnings)	nt of this
	2. Health, Accident or Disability Insurance Funds or Payments	
	3. Pension or Retirement Benefits (for suits commenced prior to 5/1/91 ONLY - check front of Writ for date)	
	4. Health insurance coverage provided by you and withheld from the individual's earnings	
	If you marked any box above, indicate how the Judgment debtor is paid: ☐weekly ☐bi-weekly ☐semi-monthly ☐ ☐other	monthly
	The Judgment Debtor will be paid on the following dates during the Effective Garnishment Period shown on Line1 of this Writ), starting at least twenty-one days after you were served with this Writ of Garnishment:	
d.	Are the Judgment Debtor's earnings subject to deductions other than withholding for local, state, and federal income and pursuant to the "Federal Insurance Contributions Act", 26 U.S.C. sec. 3101 et seq., as amended? If so me appropriate boxes and list the nature, number, and amounts of these deductions and the relative priority of this Garnishment (Mark appropriate box(es)):	nark the
	5.	
	6.	
	7. Any additional deductions (Expected Termination Date:)	
e.	If in paragraph c. above you marked Box 1 and you did NOT mark either Box 5, 6, or 7, complete the Calculation be each pay period following receipt of this Writ. If you marked either Box 4 or 5, you must complete Calculations be with the first pay period following termination of the prior writ(s).	
f.	If in paragraph c. above you marked Box 2, 3, or 4 and you did NOT mark either Box 5, 6, or 7, complete the Cal below for each pay period following receipt of this Writ. If you marked either box 5, 6, or 7, you must complete Calc beginning with the first pay period following termination of the prior writ(s) that is at least twenty-one days after set this writ on you. However, there are a number of total exemptions, and you should seek legal advice about such exert the earnings are totally exempt, please mark box 8 below:	ulations ervice of

8. The earnings are totally exempt because:

R: 1/22

Calculation of The Amount of Exempt Earnings (Each Pay Period)

Gr	oss Earnings for the pay period from	1	nru \$
	ss Deductions Required by Law (For nployer-Provided Health Insurance W		
Dis	sposable Earnings (Gross Earnings le	ess Deductions)	= \$
Les	ss Statutory Exemption (Use Exempt	ion Chart Below)	- \$
Ne	t Amount Subject to Garnishment		= \$
Less Wage/Income Assignment(s) During Pay Period (If Ar			ny) - \$
An	nount to be withheld and paid		= \$
	EXEMPTION CHART ("Minimum Hourly Wage" means state or federal minimum wage, whichever is greater.)	PAY PERIOD Weekly Bi-weekly Semi-monthly Monthly	AMOUNT EXEMPT IS THE GREATER OF: 40 x Minimum Hourly Wage or 80% of Disposable Earnings 80 x Minimum Hourly Wage or 80% of Disposable Earnings 86.67 x Minimum Hourly Wage or 80% of Disposable Earnings 173.3 x Minimum Hourly Wage or 80% of Disposable Earnings

I certify that I am authorized to act for the Garnishee; that the above answers are true and correct; and that I have delivered a copy of this Writ, together with the Calculation of the Amount of Exempt Earnings, a blank Objection to Calculation of the Amount of Exempt Earnings form, and an EXPLANATION OF WAGE GARNISHMENT IN COLORADO form to the Judgment Debtor.

Name of Garnishee (Print)
Address
Phone Number
Name of Person Answering (Print)
Signature of Person Answering

Explanation of Wage Garnishment in Colorado

Notice of garnishment to judgment debtor.

Money will be taken from your pay if you fail to act.

1. Why am I getting this notice?

You are getting this notice because a court has ruled that you owe the judgment creditor, who is called "Creditor" in this notice, money. Creditor has started a legal process called a "garnishment". The process requires that money be taken from your pay and given to Creditor to pay what you owe. The person who pays you does not keep the money.

Creditor filled out this form. The law requires the person who pays you to give you this notice. Creditor may not be the person or company to which you originally owed money. You may request that Creditor provide the name and address of the person or company to which you originally owed money. If you want this information, you must write Creditor or Creditor's lawyer at the address at the very beginning of this form. You must do this within 14 days after receiving this notice. Creditor will send you this information at the address you give Creditor. Creditor must send you this information within 7 days after receiving your request. Knowing the name of the original creditor might help you understand why the money will be taken from your pay.

2. How much do I owe?

The amount the court has ruled that you currently owe is listed at the top of the writ of garnishment. The amount could go up if there are more court costs or additional interest. The interest rate on the amount you owe is listed at the top of the Writ of Garnishment. The amount could also go down if you make payments to Creditor.

3. How will the amount I owe be paid?

The person who pays you will start taking money from your paycheck on the first payday that is at least 14 days after the day the person who pays you sends you this notice. Money will continue to be taken from your pay for

up to 6 months. If the debt is not paid off or not likely to be paid off by that time, Creditor may serve another garnishment.

The rules about how much of your pay can be taken are explained in the notice of Colorado Rules About Garnishment that you received with this notice. This notice also contains an estimate of how much of your pay will likely be withheld each paycheck.

At any time, you can get a report that shows how the amount taken from your pay was calculated. To receive this report, you must write or e-mail the person who pays you.

4. Do I have options?

Yes, you have several options, here are three of them:

- A. You can talk with a lawyer: A lawyer can explain the situations to you and help you decide what to do. The self-help desk of the court where the garnishment action is pending can provide you help with resources to find a lawyer.
- B. You can contact Creditor: If you can work something out with Creditor, money might not have to be taken from your pay. The Creditor's contact information is on the first page of the writ of garnishment.
- C. You can request a court hearing: A hearing could be helpful if there are disagreements about the garnishment, the amount the court has ruled that you owe, whether the amount of money being withheld from your paycheck is correct, or whether the amount being withheld should be reduced to help you support your family and yourself. If you disagree with the estimate of the amount of money that will be withheld from your paycheck, you must attempt to work this out with the person who pays you before going to court. You must do this within 7 days after receiving this notice. If you cannot work it out with the person who pays you, you may seek a hearing in court. If you want a court hearing, you must request one. If you think that you need more money to support your family and yourself, you may seek a court hearing without consulting the person who pays you. For help requesting a hearing, contact the self-help desk of the court where the garnishment action is pending.

5. What if I don't do anything?

If you don't do anything, the law requires that money be taken out of your paycheck beginning with the first payday that is at least 14 days after the day the person who pays you sends you this notice. The money will be given to Creditor. This process will continue for 6 months unless your debt is paid off before that.

6. How does garnishment work in Colorado?

Only a portion of your pay can be garnished. The amount that can be withheld from your pay depends on something called "disposable earnings". Your disposable earnings are what is left after deductions from your gross pay for taxes and certain health insurance costs. Your paycheck stub should tell what your disposable earnings are.

The amount of your disposable earnings that can be garnished is determined by comparing two numbers: (1) 20% of your disposable earnings and (2) the amount by which your disposable earnings exceed 40 times the minimum wage. The smaller of these two amounts will be deducted from your pay.

If you think that your earnings after garnishment are not enough to support yourself and any members of your family that you support, you can try to have the amount of your disposable earnings that are garnished further reduced. This is discussed earlier in this notice under **4. Do I have options?**

Your employer cannot fire you because your earnings have been garnished. If your employer does this in violation of your legal rights, you may file a lawsuit within 91 days of your firing to recover wages you lost because you were fired. You can also seek to be reinstated to your job. If you are successful with this lawsuit, you cannot recover more than 6 weeks wages and attorney fees.

Based on your most recent paycheck, the person who pays you estimates that	\$ will be withheld
from each paycheck that is subject to garnishment.	

R: 1/22

Пости	4 Drawing of			
County Cou	rt District Court	, Colorado		
Court Address:		, Colorado		
Plaintiff(s)/Peti	tioner(s):		_	
v.				
Defendant(s)/R	Paspandant(s):		▲ co	URT USE ONLY
` '	tor's Attorney or Judgment Cre	ditar (Nama and Address)	Coop Number	
Juagment Creat	or's Attorney or Judgment Cre	altor (Name and Address).	Case Number	er.
Phone Number FAX Number:		mail: y. Reg. #:	Division	Courtroom
	Writ of Garnishment	with Notice of Exemption	on and Pendin	g Levy
by an attorney; or C.R.S.	Inot represented by an attorno	ed collection agency pursuant ey and is not a licensed collect ner identifying information:	ion agency pursua	nt to §5-16-101 et. seq.,
3. Taxable Costs (i4. Less any Amour5. Principal BalancBy checking this	ncluding estimated cost of sen nt Paid e/Total Amount Due and Owin box, I am acknowledging I am		anging anything els	
		Verification		······································
I declare under pen the Judgment Cred		Colorado that the foregoing is	true and correct a	nd I am authorized to act for
Printed name of Jud	dgment Creditor	_		
Address	City	Sta	ate	Zip Code
Executed on the	day ofate) (month)	,, at (year) (city or other	er location, and sta	ate OR country)
(ua	(monut)	(your) (orly or other	o. roodion, and ste	acc or country)
Printed name of Au	thorized Party	Signature of Authorize	d Party (Title and	Phone No.)
Address	City Writ of Garnishment	State with Notice of Exemption		Zip Code
THE PEOPLE OF 1		to the Sheriff of any Colorado (_	-
who is not a party to		•		, Garnishee,
i ou aio unociou iu	JOING A GOPY OF HIS WITH OF GO	oriii iorit aport		, Jannishee,

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.); Lethe 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 questions 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) ____, (year) (city or other location, and state OR country) (date) (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. Through February 1, 2021, up to four thousand 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.

Defendant(s)/Respondent(s): Judgment Creditor's Attorney or Judgment Creditor (Name and Address): Phone Number: E-mail: Atty. Reg. #: Division Courtroom Writ of Garnishment – Judgment Debtor other than Natural Person udgment Debtor's name, last known address, other identifying information: Original Amount of Judgment Entered Principal Balance/Total Amount Due and Owing Verification declare under penalty of perjury under the law of Colorado that I am authorized to act for the Judgment and the foregoing is true and correct. Executed on the day of (month) Printed name of Judgment Creditor dddress of Judgment Creditor: City State Signature				
Court Address: Plaintiff(s)/Petitioner(s): V. Defendant(s)/Respondent(s): Judgment Creditor's Attorney or Judgment Creditor (Name and Address): Case Number: E-mail: FAX Number: Atty. Reg. #: Division Courtroom Writ of Garnishment – Judgment Debtor other than Natural Person Udgment Debtor's name, last known address, other identifying information: Original Amount of Judgment Entered Plus any Interest Due on Judgment (currently Principal Balance/Total Amount Due and Owing Werification declare under penalty of perjury under the law of Colorado that I am authorized to act for the Judgment and the foregoing is true and correct. Executed on the Gay of (date) Printed name of Judgment Creditor City State Zip C Signature		County Colorado		
V. Defendant(s)/Respondent(s): Judgment Creditor's Attorney or Judgment Creditor (Name and Address): Case Number: E-mail: FAX Number: Atty. Reg. #: Division Courtroom Writ of Garnishment – Judgment Debtor other than Natural Person udgment Debtor's name, last known address, other identifying information: Original Amount of Judgment Entered Plus any Interest Due on Judgment (currently Principal Balance/Total Amount Due and Owing Verification declare under penalty of perjury under the law of Colorado that I am authorized to act for the Judgment and the foregoing is true and correct. Executed on the day of (month) Printed name of Judgment Creditor City State Zip Courtroom Courtroom Courtroom Courtroom Courtroom Courtroom Courtroom Courtroom Verification (date) S Verification (city or other location, and state OR courted to act for the Judgment and the foregoing is true and correct. Executed on the day of (month) City State Zip Courtroom Signature	Court Address:	Journy, Colorado		
Defendant(s)/Respondent(s): Judgment Creditor's Attorney or Judgment Creditor (Name and Address): Case Number: E-mail: FAX Number: Atty. Reg. #: Division Courtroom Writ of Garnishment – Judgment Debtor other than Natural Person udgment Debtor's name, last known address, other identifying information: Original Amount of Judgment Entered (date) Plus any Interest Due on Judgment (currently 9 per annum) +\$ Taxable Costs (including estimated cost of service of this Writ) Less any Amount Paid Principal Balance/Total Amount Due and Owing Verification declare under penalty of perjury under the law of Colorado that I am authorized to act for the Judgment and the foregoing is true and correct. Executed on the (date) (date) Verification declare under penalty of perjury under the law of Colorado that I am authorized to act for the Judgment and the foregoing is true and correct. Executed on the (date) City State Zip C Signature	Plaintiff(s)/Petitioner(s):			
Defendant(s)/Respondent(s): Judgment Creditor's Attorney or Judgment Creditor (Name and Address): Case Number: E-mail: FAX Number: Atty. Reg. #: Division Courtroom Writ of Garnishment – Judgment Debtor other than Natural Person udgment Debtor's name, last known address, other identifying information: Original Amount of Judgment Entered (date) Plus any Interest Due on Judgment (currently Separannum) Separannum Separann	v.			
Phone Number: E-mail: Atty. Reg. #: Division Courtroom Writ of Garnishment – Judgment Debtor other than Natural Person udgment Debtor's name, last known address, other identifying information: Original Amount of Judgment Entered (date) \$	Defendant(s)/Respondent(s):	A	4	COURT USE ONLY
FAX Number: Atty. Reg. #: Division Courtroom Writ of Garnishment – Judgment Debtor other than Natural Person Udgment Debtor's name, last known address, other identifying information:	Judgment Creditor's Attorney or Judgme	ent Creditor (Name and Ad	dress): Case	Number:
writ of Garnishment – Judgment Debtor other than Natural Person udgment Debtor's name, last known address, other identifying information: Original Amount of Judgment Entered	Phone Number:	E-mail:	Divisio	on Courtroom
udgment Debtor's name, last known address, other identifying information: Original Amount of Judgment Entered	Writ of Garnishm	nent – Judament Deb	otor other than N	
declare under penalty of perjury under the law of Colorado that I am authorized to act for the Judgment and the foregoing is true and correct. Executed on the day of,,,, at	Taxable Costs (including estimated costLess any Amount Paid	t of service of this Writ)	(date) ım)	\$
Printed name of Judgment Creditor Address of Judgment Creditor: City State Zip C By: Printed name Signature				to act for the Judgment Credito
Address of Judgment Creditor: City State Zip C By: Printed name Signature	executed on the day of (date) (month) (year)	(city or other loc	cation, and state OR country)
City State Zip C By: Printed name Signature	Printed name of Judgment Creditor			
Printed name Signature Address:	•		State	Zip Code
			Signature	
City State Zip Code Pho				
	City	State	Zip Code	Phone

Writ of Garnishment

		E OF THE STATE OF party to this action:	COLORADO to the Sheriff of any Colorad	lo County, or to any person 18 years or older and		
You retu	are dire	ected to serve a copy ovice to be made to the	of this Writ of Garnishment upon Court.	, Garnishee, with proper		
_	_	RNISHEE: IFRERY SUMMONED.	AS GARNISHEE IN THIS ACTION AND C	ORDERED:		
	To answ	ver the following questi	ons under oath and file your answers with	the Clerk of the Court (AND to mail a completed ped envelope is attached) within 14 days following		
		Your failure to	answer this writ with notice may result in the	he entry of a default against you.		
b.	 To hold pending court order any personal property owed to or owned by the Judgment Debtor and in your possession control on the date and time this Writ was served upon you. 					
	Are No					
a.	or contr	ol as of the date and tin	ne this Writ was served upon you.	d by the Judgment Debtor and in your possession		
	persona	al property is incapable	of being divided.	ount on Line 5 on the front of this Writ unless the		
C.	-	•		a separate notice or order from the court,		
			_	med above (May select only if the Judgment R.S.); the Judgment Creditor's Attorney (if		
	applicat (Must s	ole); or to the $lacktriangle$ Clerk o	f the □County Court or □District Court in reditor is not represented by an attorney Al	(city), Colorado ND is not a licensed collection agency pursuant		
	Address	S:	BER (above) ON THE FRONT OF THE C	HECK		
CI F		THE COURT	,	TIEGK.		
OLL	-1111 01		Date:			
		(Questions to be Answered by	Garnishee		
Juc	dgment	Debtor's Name:		Case Number:		
The	followin	g questions MUST be a	nswered by you:			
	a.			ssess or control any personal property of the ns, debts or moneys to the Judgment Debtor?		
	b.	If YES, list all items of	personal property and their location(s) and	d/or describe the nature and amount of the debt		
		or obligation: (Attach	additional pages is necessary):			
	C.	Do you claim any seto	ff against any property, debt or obligation	listed above?		
	d.	If you answered YES	to question c, describe the nature and amo	ount of the setoff claimed:		
		(Attach additional pag	es 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 above answers are true and correct.					
Executed on the day of					
(date) (month)	(year)	(city or other location, and state	e OR country)		
Printed name of Garnishee					
Address of Garnishee:					
City	State	Zip Code	Phone		
By:					
Printed name of Person Answering		Signature of Person Answering			

□County Court □District Court	unty Color	ada			
Court Address:	ounty, Color	auu			
Plaintiff(s)/Petitioner(s):					
v.					
Defendant(s)/Respondent(s):				▲ co	URT USE ONLY
Attorney or Party without Attorney (Name	e and Addres	ss):		Case Number	er:
Phone Number: FAX Number:	E-mail: Atty. Reg	j. #:		Division	Courtroom
Writ of C	arnishme	ent in Aid	of Writ of	Attachment	
efendant in Attachment's name, last k	nown addre	ess, other i	dentifying info	ormation:	
Original Amount of Claim Plus any Interest Due on Claim (curren Taxable Costs (including estimated cos Less any Amount Paid Principal Balance/Total Amount Due an	t of service o	5 per annum of this Writ)	from		\$
'	_	Verification	\n		
declare under penalty of perjury under tachment and the above answers are	true and co	orrect.			
recuted on the day of (date) (month)		(year)	(city or	other location,	and state OR country
rinted name of Plaintiff in Attachment					
ddress of Plaintiff in Attachment:					
Ci	ty			State	Zip Code
/:					
Printed name and Title of Person A	nswering		Signature	of Person Ans	wering
ddress: City	State	Zip (Code		Phone
	Writ (Of Garni	shment		
HE PEOPLE OF THE STATE OF COLOR at a party to this action:					·
ou are directed to serve a copy of this Waturn of service to be made to the Court.	rit of Garnis	hment upon			, Garnishee, with prope
The Garnishee: ou Are Hereby Summoned as Garnishee i	n This Action	and Order	od:		

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 answer to the Plaintiff in Attachment or attorney when a stamped envelope is attached) within 14 days following service of this Writ upon you.

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

b. To hold pending court order any personal property (other than earnings of a natural person) owed to or owned by the Defendant in Attachment and in your possession or control on the date and time this Writ was served upon you.

You Are Notified:

- **a.** This Writ applies to all personal property (other than earnings of a natural person) owed to or owned by the Defendant in Attachment 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.

-	· ·	Court, tender your check for the ar		
CLER	OF THE COURT	By Deputy Clerk:		
022111				
	Ques	tions to be Answered by	y Garnishee	
Defendant	in Attachment's Name:		Case Number:	
The following	g questions MUST be answer	ed by you:		
a.		Writ was served upon you, did yo did you owe any rents, payments, t?		
b.		items of personal property and the ttach additional pages if necessary		
C.	Do you claim any setoff aga	inst any property, debt or obligatio	n listed above? QYES	□по
d.	•	stion c, describe the nature and arecessary):		
	nder penalty of perjury und wers are true and correct.	Verification er the law of Colorado that I an	n authorized to act for the	Garnishee and the
Executed of	on the day of	at		
	(date) (mont	h) , (year) , at (c	ity or other location, and s	tate OR country
Printed na	me of Garnishee			
Address of	Garnishee:			
	City	State	Zip Code	Phone
By:				
Printed	d name of Person Answerir	ng Signa	ature of Person Answering	1

Small Claims Court Court Address:		County, Colorado		
Address:				
_ ·				
	Work	Cell	—	
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Address:				
Phone: Home	Work	Cell		
DEFENDANT(2):				5
Address:				
City/State/Zip:				
Phone: Home	Work	Cell	Division	Courtroom
NOTIC	E, CLAIM AND SU	JMMONS TO APPEA	R FOR TRIAL	(Part 1)
or service of this notice. Fundamental Address:	Please enter name an	on-line at <u>www.colorados</u> d address of the agent. N ce: □Yes □No □Unkno	lame:	
this Notice by a perso trial and to provide the lam an attorney: Tree	n whose age is 18 ye e Court with written pro es ⊒No	oility to have each Defend ars or older and who is no pof of service. □Yes □No d Summons to Appear fo	ot a party to this a o	
the Court address stat establish your defense. the claim or present a c scheduled trial date and	ed in the above capt If you do not appe counterclaim, you mus d pay a nonrefundable	ase on ion. Bring with you all bo ar, judgment may be ent t provide a written respons le filing fee.	ooks, papers and tered against you	witnesses you need to J. If you wish to defend
Dated:		Clerk of Court/	Deputy Clerk	·
he Defendant(s) owe(s) nd/or should be ordered	me \$to return property, pe	ns to support your claim _, which includes penaltie erform a contract or set as return of property, please	n below.) es, plus interest a side a contract or	comply with a restrictive
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led in any Small Claims C this County this calenda	Court in this County mo	ore than 2 claims during thi		
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		Dlaintiff's	Signature	
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Small Claims Court		County, Colorac	lo	
Court Address:				
PLAINTIFF(S):				
Address:				
City/State/Zip:				
Phone: Home	Work	Cell		
∨. DEFENDANT(1):				
Address:			A 0.	OURT USE ONLY
City/State/Zip:			Caca Numl	ber:
Phone: Home	Work	Cell		
DEFENDANT(2):				S
Address:				0
City/State/Zip:				
Phone: Home	Work	Cell	Division	Courtroom
NOTIC	E, CLAIM AND S	UMMONS TO AP	PEAR FOR TRIAL	
	lease enter name and	d address of the age	nt. Name:	the registered agent for
covenant or security I/We understand tha this Notice by a pers	deposit dispute. Ye t it is my/our responsion whose age is 18 years. Court with written posessions.	es □No bility to have each D ears or older and who	efendant served with the sign of the served with the sign of the served with t	arising from a restrictive ne "Defendant's Copy" of ction 15 days prior to the
		nd Summons to App	ear for Trial	
To the Defendant(s): You are scheduled to		case on	(da	te) at (time)
at the Court address establish your defense	stated in the above ca e. If you do not appe counterclaim, you mus	aption. Bring with you ear, judgment may b st provide a written re	u all books, papers and be entered against you	d witnesses you need to u. If you wish to defend terclaim on or before the
Dated:				
_ Plaintiff(s)'s Claim (Plea	aso summarizo roas <i>i</i>		Court/Deputy Clerk	
he Defendant(s) owe(s) me	e \$, v rty, perform a contract o	which includes penalties r set aside a contract o	s, plus interest and costs al	llowed by law, and/or should e covenant for the following
/we declare under penal	lty of perjury under the Court in this County m	law of Colorado that	the foregoing is true a	ion cannot exceed \$7,500.00. nd correct. I/we have not , nor more than 18 claims
)ated:			sintiff's Circature	
		Pi	aintiff's Signature	
		Pla	aintiff'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	endant's Counterclaim Plaintiff(s) owe(s) me \$ ered to return property, p eeking return of property	, where the contract or se	nich incl t aside a	udes penalties a contract or co	, plus interest emply with a re	and costs allowed	
I de	case sent to County Court (I /we do not wis am/are filing a Notice of an attorney.	counterclaim exceeds to recover from the Placounterclaim exceeds Court (only if I/we wish to limit the amount I/of Removal and paying as No erjury that this informatical exceeds.	the juris aintiff to the juris on to limit we can g the ap	sdictional amore \$7,500.00. sdictional amore the amount I/v recover from the propriate filing the and correct the and correct the state of the state	unt of the Sma unt of the Sma we can recove he Plaintiff(s)) fee to the Co t and that I ma	all Claims Court, but all Claims Court, and it from the plaintiff to and will pay the apurt at this time.	
				Defendant's A	ddress		
Def	endant's Signature	Date		Telephone #:	Home	Work	Cell
A. B.	♦ If Plaintiff's claim is Response. You have bee against you. If you wish	ss: \$26.00 aim: \$500.00 or less and comore than \$500.00 or comore than \$500.00 or comore to defend the claim or let the scheduled trial dat	unterclai counterclas. If you present a e, provid	Claim over \$50 im is \$500.00 or laim is more that fail to appear or a counterclaim, le a copy to the	0.00 but less t r less: an \$500.00: n the trial date you must file Plaintiff(s), pay	han \$7,500.00: \$41.0 shown on this notice, with the Court Cler y the appropriate nor	\$31.00 \$46.00 judgment may be entered rk a written response or nrefundable filing fee, and

- 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.
- 3. 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.

Small Claims Court		County, Colorado		
Court Address:				
PLAINTIFF(S):				
• •				
		Cell		
v. DEFENDANT(1):			A co	OURT USE ONLY
Address:				
City/State/Zip:				
Phone: Home	Work	Cell		C
DEFENDANT(2):				5
Address:				
City/State/Zip:				
Phone: Home	Work	Cell	Division	Courtroom
NOTICE	. CLAIM AND SI	JMMONS TO APPE	AR FOR TRIAL	(Part 3)
Defendant(s) is/are other ervice of this notice. Pleaddress:				
this Notice by a persor	n whose age is 18 ye Court with written pr	oility to have each Defenears or older and who is roof of service. Yes U	not a party to this a	
	Notice an	d Summons to Appear	for Trial	
at the Court address states ablish your defense.	ated in the above ca If you do not appe ounterclaim, you mus	case on (date) aption. Bring with you all ear, judgment may be en at provide a written respon ale filing fee.	books, papers and ntered against you	witnesses you need to u. If you wish to defend
Dated:		Clark of Cour	rt/Deputy Clerk	
laintiff(s)'s Claim (Pleas	e summarize reaso			
he Defendant(s) owe(s) r nd/or should be ordered to ovenant for the following r	to return property, po	erform a contract or set a	aside a contract or	comply with a restrictive
ote: The combined value of r we declare under penalty ed in any Small Claims Co this County in this calend	of perjury under the purt in this County mader year.	law of Colorado that the	foregoing is true a	nd correct. I/we have not
ated:		 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 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.

Small Claims Court Court Address:		County, Colorado		
DI AINTIEE(C).				
•		Cell		
V.				
				OURT USE ONLY
				er:
		Cell		
		Oeii		S
		Cell		Courtroom
		JMMONS TO APPE		(Part 1)
a student in this councevenant or security of I/We understand that this Notice by a persotrial and to provide the I am an attorney: To the Defendant(s): You are scheduled to he	ty, or real property loodleposit dispute. Ye it is my/our responsition whose age is 18 years. Court with written press. No Notice are averyour trial in this content.	employed, has/have an ocated in this county is the solity to have each Defendants or older and who is not of service. The d Summons to Appear ease on (date)	subject of claim(s) dant served with the not a party to this a No for Trial	arising from a restrictive ne "Defendant's Copy" o ction 15 days prior to the (time)
establish your defense.	If you do not apper counterclaim, you must d pay a nonrefundab	ear, judgment may be en et provide a written respon ele filing fee.	ntered against younge or written coun	 If you wish to defend
aintiff(s)'s Claim (Plaa	SA SUMMARIZA 1939	Clerk of Cour ons to support your claim	rt/Deputy Clerk m helow)	
ne Defendant(s) owe(s) mould be ordered to return	ne \$ property, perform a co	, which includes penalties, intract or set aside a contra please describe the proper	plus interest and co act or comply with a	restrictive covenant for the
we declare under penalty	y of perjury under the Court in this County m	ic performance or cost to rem law of Colorado that the ore than 2 claims during th	foregoing is true a	nd correct. I/we have no
ated:		Plaintiff	s Signature	
		Plaintiff's	s Signature	

Case Namev	V	Case Number:
	AFFIDAVIT OF SER	_
I swear/affirm under oath that I am 18 Claim, and Summons to Appear for	B years or older and not a p	arty to the action, and that I served the Notice,
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 per	rson identified to me as the [Defendant.
		on identified to me as the Defendant who refused
service, and then leaving the documents at the D		e. bode with (Name of
		hose age is 18 years or older. (Identify family
relationship)		
Person) who is the Defendant's see	Defendant's usual workplace cretary, administrative assist	with (Name of tant, bookkeeper, or managing agent. (Circle title
of person served.) By leaving the documents with	/Nor	me of Person), who as (title)
is authorized by appointment or by	(Nai	ocess for the Defendant.
By leaving the documents with an opursuant to C.R.C.P. 304 which was to be served. (Circle title	officer, partner, manager, sto(please e of person who was served.	ockholder, elected official or functional equivalent identify) of the corporation or non-corporate entity
		·
I have charged the following fees for my se	ervices in this matter:	
D Private process conver		
☐ Private process server☐ Sheriff.	County	
Sheriff, Mileage \$		
	Si	gnature of Process Server
	Na	ame (Print or type)
Subscribed and affirmed, or sworn, this day		ounty of, State of
My Commission Expires:		
	N	otary Public
	FIFICATE OF SERVICE performed by Clerk within th	_
		a true and correct copy of the NOTICE, CLAIM, AND es Mail, postage pre-paid to the Defendant(s) at the
	C	elerk of Court/Deputy Clerk
		elerk of Court/Deputy Clerk . Clerk's Initials

FORM 1.2. DISTRICT COURT CIVIL (CV) CASE COVER SHEET FOR INITIAL PLEADING OF COMPLAINT, COUNTERCLAIM, CROSS-CLAIM OR THIRD PARTY **COMPLAINT AND JURY DEMAND**

District CourtCourt Address:	County, Colora	do
Plaintiff(s): v. Defendant(s):		▲ COURT USE ONLY ▲
Attorney or Party With	out Attorney (Name and Address):	Case Number:
Phone Number: FAX Number:	E-mail: Atty. Reg. #:	
	RT CIVIL (CV) CASE COVER SH COMPLAINT, RCLAIM, CROSS-CLAIM OR TI AND JURY DEMA	HIRD PARTY COMPLAINT
claim or third party Domestic Relations cases or in Water (CV	complaint in every district court civ (DR), Probate (PR),, Juvenile (JA, J W) proceedings subject to sections 37	of a complaint, counterclaim, cross- vil (CV) case. It shall not be filed in IR, JD, JV), or Mental Health (MH) 2-92-302 to 37-92-305, C.R.S. Failure to pleading but may result in a clerk's

- show cause order requiring its filing.
- 2. Simplified Procedure under C.R.C.P. 16.1 applies to this case unless (check one box below if this party asserts that C.R.C.P. 16.1 **does not** apply):
 - ☐ This is a class action, forcible entry and detainer, Rule 106, Rule 120, or other similar expedited proceeding, or
 - ☐ This party is seeking a monetary judgment against another party of more than \$100,000.00, exclusive of interest and costs, as supported by the following certification:

By my signature below and in compliance with C.R.C.P. 11, based upon information reasonably available to me at this time, I certify that the value of this party's claims against one of the other parties is reasonably believed to exceed \$100,000.

Or

Da	ate:	Signature of Attorney for Party (if any)
Da	ate:	Signature of Party
3.	☐ This party makes a Jury Dema (Checking this box is optional.)	and at this time and pays the requisite fee. See C.R.C.P. 38.
	☐ Another party has previously f to this case.	filed a cover sheet stating that C.R.C.P. 16.1 does not apply

NOTICE

This cover sheet must be served on all other parties along with the initial pleading of a complaint, counterclaim, cross-claim, or third party complaint.

INSTRUCTIONS TO COMPLETE DISTRICT CIVIL (CV) CASE COVER SHEET JDF 601 FOR INITIAL PLEADING OF COMPLAINT, COUNTERCLAIM, CROSS-CLAIM, OR THIRD PARTY COMPLAINT, RULE 16.1 SIMPLIFIED PROCEDURE

These standard instructions 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.

GENERAL INFORMATION

- ◆ As of July 1, 2004, the JDF 601 case cover sheet is required by C.R.C.P. 16.1 Simplified Procedure for all District Civil (CV) actions filed on or after that date. This cover sheet must be filed with the complaint and any counterclaim, cross-claim, or third party complaint.
- ◆ If you fail to file a Case Cover Sheet with such a pleading, you will be notified by the Court that you need to file a Case Cover Sheet and must then do so within the time stated by the Court, or the Court may impose sanctions, including striking this pleading.
- ◆ 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

STEPS TO COMPLETE CIVIL CASE COVER SHEET

Step	1:	Complete Caption.				
	lde	entify the name of the county and court address where you plan to file your papers.				
		Identify the name of the Plaintiff(s) and Defendant(s). If you have multiple Plaintiffs or Defendants, list only the first Plaintiff or Defendant.				
	Co	Complete the identifying information for the party or attorney completing the Case Cover Sheet.				
		Once you file your papers, the Court will assign a case number and division and will indicate such on the Case Cover Sheet.				
		If a case number has already been assigned, you must still complete the Case Cover Sheet and insert the case number.				
Step		Complete Item 2.				
_	I Ch	eck the applicable box if the Simplified Procedure applies to your case.				
	or					
	bo	Check the applicable box if the Simplified Procedure does not apply to your case. If you have checked this box, you must also check one of the three boxes within this section to identify why the Simplified Procedure does not apply. The three options are identified below:				
		Some civil actions are automatically excluded and are not subject to C.R.C.P. 16.1. If you are filing a class action, domestic relations case, juvenile case, mental health case, probate case, a water law proceeding subject to sections 37-92-302 to 37-92-305, C.R.S., forcible entry and detainer, Rule 106 or 120, petition to seal criminal record, distraint warrant, county court or municipal appeal, or a writ of habeas corpus civil action your case is not subject to the simplified procedure.				
		or				
		Simplified Procedures does not apply if you are seeking a monetary judgment for more than \$100,000.00 against any other party, including attorney fees, penalties or punitive damages, but excluding interest and costs, as well as the value of any equitable relief sought.				
		or				

			s not apply if another party has previously indicated in a Civil Case Cover rocedure under C.R.C.P 16.1 does not apply to your case.
Step	3:	Complete Item 3.	(Optional)
_	inc rig If y of an	clude the jury demand fee. Ph the to a jury trial. You are making a jury demar six freeholders. However, if yadvance deposit of \$50.00	d pay the requisite fee at this time. If you check this box, your filing fee must lease refer to C.R.C.P. 38 for your right to request a jury trial and waiving the ad pursuant to §38-1-106, C.R.S., a jury demand fee is not required for a jury you are requesting a jury of freeholders in excess of six (including alternates) per extra juror for one day of service is required. For example, if you demand it of \$300.00 (\$50.00 x 6) is required.
Step ∉		J	ril Case Cover Sheet. plicable, must date and sign the Civil Case Cover Sheet.

Amended and Adopted by the Court, En Banc, January 6, 2022. Effective March 1, 2022 for Rules 16, 16.1, 30, 45, and Forms 601 and 603. Effective immediately for Forms 26, 29, 32, 33, 47, and 250.

By the Court:

Richard L. Gabriel Justice, Colorado Supreme Court