

Weld County Combined Courts 915 10 th Street P.O. Box 2038 Greeley, CO 80632 (970) 475-2400	
Plaintiff: and Defendant: and all occupants	COURT USE ONLY <hr/> Case Number:
Magistrate Annette J. Kundelius	Division C
CASE MANAGEMENT ORDER FOR EVICTION SUMMONS RETURN DATES AND INSTRUCTIONS FOR VIRTUAL PROCEEDINGS	

Any party or counsel in an eviction case may appear for the summons return in the virtual courtroom or in person as they chose.¹ This document will provide information regarding eviction summons return hearings, access to the Court via WebEx, and the Court's expectations during these hearings.

The Plaintiff shall fill in the caption and date and time and file and serve a copy of this Order with the summons, complaint and other supporting documents.

The summons return hearing is on _____ at the hour of 8:00a.m. The magistrate / judge will be in Division C. You may appear in person in Division C, **OR** you may appear in the virtual courtroom. To appear in the virtual courtroom, use the following instructions.

- Access the QR code below with your phone or device's camera, OR
- Enter this address into your browser: <https://www.coloradojudicial.gov/m/62-C> , OR
- From the WebEx App, click "Join A Meeting", the meeting room number is **2598 002 2612**, OR
- Connect by phone / audio only (or in addition to video) by calling **720-650-7664** and enter the code **2598 002 2612** followed by # (and then # again as you do not have an attendee ID), OR
- Go to coloradojudicial.gov, click on "Courts" click on "Trial Courts by County"; search "Weld"; in the section menu click on "Virtual Courtrooms" scroll down and click on "Virtual Courtroom, Magistrate Annette Kundelius Division C" and enter the required information.



¹ Section 13-40-111 requires an "appearance" (except in limited circumstances).

Summons Return Procedures

Wait for the Court to call the case. Plaintiff's counsel is expected to have some settlement authority. **The parties are strongly encouraged to contact each other before the summons return and attempt resolution on their own.** Any stipulation for an agreed move out date should also indicate whether a judgment of possession should enter now or be contingent (delayed) until the move out date. Any agreement for payments should indicate if a money judgment should enter now or be contingent (delayed) until failure/default on the payments. Any request for possession should be accompanied by a statement of whether the parties agree to keep the case suppressed pursuant to §13-40-110.5(3).

If the Defendant wishes to answer or contest the Plaintiff's claims, the matter may be set for trial. Unless otherwise ordered by the Court, an answer must be filed by 12:00 noon on the day of the summons return. Any answer must be accompanied by the proper filing fee or fee waiver. If a trial is set, a separate trial scheduling order will issue and the parties must provide an e-mail address. Parties should be prepared to go to trial for possession within the statutory time period. Pre-trial disclosures and exchanges will be required, and any trial exhibits must be filed or uploaded prior to trial. Attorneys shall file any pleading via CCE. Any pro-se party may file pleadings either: at the Clerk's Office window, through e-filing, or by mailing it to Weld County Combined Court, P.O. Box 2038, Greeley CO 80632 (and received by or before any deadline).

State and Local Assistance

Resources may be available through the Weld County Housing Stability Program. Call 970-400-6427 or go to HS-Housing@Weld.gov or go to their office located at 315 N. 11th Ave. Building A, Greeley, CO 80631. Additional resources are listed in the Summons and may be available by contacting The Colorado Department of Local Affairs Division of Housing. Call 303-864-7810 or visit their website at <https://cdola.colorado.gov/housing>.

The CARES Act

Portions of the CARES Act are still in full force and effect; specifically, 15 U.S.C.A. § 9057(e) and 15 U.S.C.A. 9058(c)(1)². Plaintiffs are required to affirmatively state in writing whether the property is subject to the provisions and restrictions of The Coronavirus Aid, Relief, and Economic Security Act (the CARES Act). Failure or inability to state whether the property is subject to The Act will result in the Court delaying any request for immediate possession.³

Right to Mediation

If you, the tenant, receive Supplemental Security Income (SSI); Social Security Disability Insurance (SSDI); or Cash Assistance through the Colorado Works Program; then you may have a right to mandatory mediation, at no cost to you, before the landlord can start an eviction case in court.³

² See *Arvada Village Gardens Lp v. Garate*, 529 P.3d 105 (Colo. 2023)

³ C.R.S. 13-40-106(2).

WebEx Conference Ground Rules

WebEx hearings are court proceedings, and all participants shall follow ordinary standards of decorum. Participants should ensure they are appropriately dressed, that their surroundings are quiet and well lit, that their electronic devices are functioning correctly, that they have an adequate internet connection, and that distractions in home environments are minimized.

Attorneys shall forward the virtual courtroom information to clients and any witnesses. Unrepresented parties shall forward the virtual courtroom information to any witnesses. The Court may also forward information to any member of the public upon request.

Any subpoenas served shall have a copy of this Order attached. Call or join at the scheduled time. Do not interrupt any ongoing proceedings (just like an in-person courtroom). The Court often has more than one case on the docket at the same time (you may be on the line with other people not associated with your case). Wait to be acknowledged by the Court. The Court is located in the Mountain Time Zone and you are responsible to call/join at the correct time. Speak clearly into a microphone or phone. If on video, face the camera when speaking. Only one person may speak at a time. Microphones / phones should be muted unless you are speaking. Background noise (side conversations, paper shuffling, typing) must be kept to a minimum.

If an interpreter is involved, pause periodically to allow interpretation and allow the interpreter to render the interpretation before speaking again. Make and keep a good record. The hearing is open to the public and the public may attend via WebEx.

In certain cases, the Court reserves the authority to “close” the courtroom including removing participants from the conference and/or employ a “lock meeting” option for any particular hearing. Anyone who is participating via video may be placed into a “lobby” or “breakout room” temporarily excluding them from the hearing. Parties **may not** utilize the chat function to accomplish any communication. Audio and/or video recording of any portion of the hearing by any means is **strictly prohibited**. Violation of these prohibitions will result in the imposition of sanctions which may include contempt of court. The Court keeps the official record and recording of all proceedings.

Interpreter Services

If you are the landlord and the tenant needs an interpreter, you shall inform the court of the need for an interpreter at the time of filing the case. Failure to do so may result in the case being continued so that an interpreter may be obtained, and therefore may result in a delay in any request for possession of property.

Conclusion

These procedures may be supplemented, amended or terminated at any time as required. Any questions or concerns may be directed to the Judicial Assistant at danna.york@judicial.state.co.us . Thank you in advance for your cooperation.

DONE BY THE COURT:

A handwritten signature in black ink, appearing to read 'Annette J. Kundelius', written in a cursive style.

Annette J. Kundelius, Magistrate