

From: [jones, jerry](#)
To: [michaels, kathryn](#)
Subject: FW: Civil Rules Meeting
Sent: 11/4/2025 1:39:58 PM

From: Ben Vinci <ben@vincilaw.com>
Sent: Tuesday, November 4, 2025 10:23 AM
To: jones, jerry <jerry.jones@judicial.state.co.us>
Cc: michaels, kathryn <kathryn.michaels@judicial.state.co.us>
Subject: [EXTERNAL] Civil Rules Meeting

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Judge Jones

I wanted to inform you that I will be undergoing surgery and, unfortunately, may not be able to attend the upcoming meeting on Friday. I will try and attend virtually, but I'm not certain that I will be ready physically. In light of this, I respectfully request that my proposal listed as **Item F under New Business** be tabled until a future meeting when I am able to participate.

Additionally, I would like to share my perspective regarding **Item A under Old Business** in anticipation of my absence.

Opposition to Proposed Amendments to Rules 3, 4, and 303.1

I would like to formally express my opposition to the proposed amendments requiring a case number to be issued prior to service in forcible entry and detainer (FED) actions.

This proposal represents a **legislative change**, not a procedural clarification. The current rules are consistent with longstanding practice and statutory

interpretation. Any substantive revision of this nature should be addressed through the legislative process, not through rulemaking by the Committee.

Moreover, **no compelling evidence has been presented** to demonstrate that defendants are unable to file answers due to lack of access to case numbers. The anecdotal examples cited do not establish a systemic issue. In practice, litigants receive sufficient information through the summons and complaint, and many firms already include QR codes or other tools to facilitate access. This system has functioned effectively for decades without significant issues that would justify a rule change inconsistent with the statute.

In my personal experience spanning over 30 years of court practice in Colorado, I have not encountered any instance where the lack of a case number prevented a defendant from filing an answer. Additionally, I practice in other states that follow a “serve first” model, and I have not heard of any concerns from litigants in those jurisdictions regarding barriers to filing answers. These systems function effectively without requiring a case number prior to service, and I see no compelling reason to alter Colorado’s longstanding and functional approach.

The proposed amendment also raises serious concerns regarding **fairness to plaintiffs**. Requiring a case number before service introduces unnecessary delays and administrative burdens, particularly in jurisdictions where case acceptance may take 24–48 hours. These delays could jeopardize compliance with statutory service deadlines and hinder timely resolution of possession claims.

Furthermore, the change would **frustrate the judicial process and limit access to the courts for pro se landlords**, many of whom rely on streamlined procedures to initiate FED actions. Imposing new procedural hurdles without clear justification risks excluding these parties from meaningful participation in the legal system.

For these reasons, I respectfully urge the Committee to reject the proposed amendments and preserve the current rule structure, which appropriately balances efficiency, fairness, and statutory compliance.

Thank you for your consideration.

LICENSED IN COLORADO, IDAHO, NEBRASKA, WYOMING AND UTAH.

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