

Small Claims Basic Information

- Small Claims cases are used for cases up to \$7,500 in value to recover money or property, perform or set aside a contract, or comply with restrictive covenants.
- You are limited to 2 Small Claims a month, and no more than 18 a year per county.
- The legal rate of interest is 8% compounded annually.
- File in the county where the Defendant lives, works, or where the property is located.
- There are no jury trials in small claims.
- If you win a judgment, you must collect what is owed. The Court doesn't do that for you.
- The law that directs this process is Colorado Revised Statute (C.R.S.) section (§) 13-6-403 and the Colorado Rules of Procedure for Small Claims (Rules 501 – 521).

Other Important Information Needed by the Plaintiff When Filing:

- The Defendant's email address and phone number. The Court does not provide any of this information.
- If the Defendant is a company, you will need to know the name, phone number, and email address of someone at that company who can participate in this lawsuit. The registered agent only accepts service for the company.
- Be able to: 1. Have the defendant(s) served within 30 days of filing the case. 2. After having the defendant(s) served, participate in mediation in the next 60 days. If you are going to be out of town, please wait to file the case until you are present.
- It is your responsibility to make sure the defendant(s) are served by the sheriff, a process server, or someone over the age of 18 who is not a party to the case.
- Mediation is ordered in these types of cases, and you will be responsible for setting up the mediation AND paying \$60 (both sides are required to pay this amount each) to the mediator (unless you are declared indigent by the court).
- The defendant may be "judgment proof" which means that the person who owes you the money has no wealth, property, or income that can be garnished. Even though you win your case, it may be worthless to you, except that it may make the defendant's credit score worse.