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.

- ❑ Identify 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.
- ❑ 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 2: Complete Item 2.

- ❑ Check the applicable box if the Simplified Procedure **applies** to your case.

  or

- ❑ 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

- ❑ 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)

- ❑ You can request a jury trial and pay the requisite fee at this time. If you check this box, your filing fee must include the jury demand fee. Please refer to C.R.C.P. 38 for your right to request a jury trial and waiving the right 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 of six freeholders. However, if you are requesting a jury of freeholders in excess of six (including alternates) an advance deposit of $50.00 per extra juror for one day of service is required. For example, if you demand a jury of 12, an advance deposit of $300.00 ($50.00 x 6) is required.

Step 4: Sign and Date Civil Case Cover Sheet.

- ❑ The party or the Attorney, if applicable, must date and sign the Civil Case Cover Sheet.

District Court ☐ Jefferson County Court - 100 Jefferson County Pkwy Golden, CO 80401 ☐ Gilpin County Court - 2960 Dory Hill Rd Black Hawk, CO 80422	
Plaintiff v. Defendant	▲ **COURT USE ONLY** ▲ Case Number: Division: Courtroom:

DISTRICT COURT CIVIL SUMMONS

TO THE ABOVE NAMED DEFENDANT: _____

YOU ARE HEREBY SUMMONED and required to file with the Clerk of this Court an answer or other response to the attached Complaint. If service of the Summons and Complaint was made upon you within the State of Colorado, you are required to file your answer or other response within 21 days after such service upon you. If service of the Summons and Complaint was made upon you outside of the State of Colorado, you are required to file your answer or other response within 35 days after such service upon you. Your answer or counterclaim must be accompanied with the applicable filing fee.

If you fail to file your answer or other response to the Complaint in writing within the applicable time period, the Court may enter judgment by default against you for the relief demanded in the Complaint without further notice.

Dated: _____

_____
Clerk of Court/Clerk

_____
Signature of Plaintiff

_____
Address of Plaintiff

_____

_____
Plaintiff's Phone Number

This Summons is issued pursuant to Rule 4, C.R.C.P., as amended. A copy of the Complaint must be served with this Summons. This form should not be used where service by publication is desired.

WARNING: A valid summons may be issued by a lawyer and it need not contain a court case number, the signature of a court officer, or a court seal. The plaintiff has 14 days from the date this summons was served on you to file the case with the court. You are responsible for contacting the court to find out whether the case has been filed and obtain the case number. If the plaintiff files the case within this time, then you must respond as explained in this summons. If the plaintiff files more than 14 days after the date the summons was served on you, the case may be dismissed upon motion and you may be entitled to seek attorney's fees from the plaintiff.

TO THE CLERK: If the summons is issued by the clerk of the court, the signature block for the clerk or deputy should be provided by stamp, or typewriter, in the space to the left of the attorney's name.

☐ **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 ☐ Jefferson County Court - 100 Jefferson County Pkwy Golden, CO 80401 ☐ Gilpin County Court - 2960 Dory Hill Rd Black Hawk, CO 80422 Plaintiff(s): v. Defendant(s):	▲ COURT USE ONLY ▲
Attorney or Party Without Attorney (Name and Address): Phone Number: E-mail: FAX Number: Atty. Reg. #:	Case Number:
DISTRICT COURT CIVIL (CV) CASE COVER SHEET FOR INITIAL PLEADING OF COMPLAINT, COUNTERCLAIM, CROSS-CLAIM OR THIRD PARTY COMPLAINT AND JURY DEMAND	

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),, 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 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

☐ Another party has previously filed a cover sheet stating that C.R.C.P. 16.1 does not apply to this case.

3. ☐ This party makes a **Jury Demand** at this time and pays the requisite fee. *See* C.R.C.P. 38. (Checking this box is optional.)

Date: _____ _____

Signature of 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.

District Court ☐ Jefferson County Court - 100 Jefferson County Pkwy Golden, CO 80401 ☐ Gilpin County Court - 2960 Dory Hill Rd Black Hawk, CO 80422	▲ COURT USE ONLY ▲
Plaintiff(s): _____ _____ V. Defendant(s): _____ _____ _____	
My Name: _____ Address: _____ City: _____ State: _____ Phone: _____ Email: _____	Case Number: _____ Division: _____ Courtroom: _____

DISTRICT COURT CIVIL COMPLAINT

1. Jurisdiction

I can file this case in Jefferson County because

(Check all that apply)

- ☐ The Defendant lives in this County
- ☐ The Defendant company does business in this County
- ☐ The actions took place in this County

2. Defendant Information

The contact information for the people responding to the lawsuit is:

Registered Agent - The person that will accept legal documents for a company. Find a company's Registered Agent at www.sos.state.co.us

Defendant 1 Name: _____

Registered Agent: *(if a company):* _____

Street Address: _____

City/State/Zip: _____

Defendant 2 Name: _____

Registered Agent: *(if a company)*: _____

Street Address: _____

City/State/Zip: _____

List any additional Defendants on a separate piece of paper.

3. Grounds

List the legal ground(s) that allow you to start a lawsuit.

These are often called the Claims for Relief or Causes of Action.

Claim 1 - _____

Against whom? *(Check one)*

☐ All Defendants

OR

☐ Just These Defendant(s): _____

Claim 2 - _____

Against whom? *(Check one)*

☐ All Defendants

OR

☐ Just These Defendant(s): _____

Claim 3 - _____

Against whom? *(Check one)*

☐ All Defendants

OR

☐ Just These Defendant(s): _____

Claim 4 - _____

Against whom? *(Check one)*

☐ All Defendants

OR

☐ Just These Defendant(s): _____

List any additional Claims on a separate piece of paper.

4. Facts

These are the facts of my case:

The facts must qualify you for the legal grounds you are raising. Attach additional pages as needed.

5. Request for Relief: What do you want the Court to do?

6. Type of trial: *(Check only one box)*

☐ Court trial to the judge

OR

☐ Jury trial (if applicable, not all civil trials are entitled to jury, extra fee required)

WARNING: ALL FEES ARE NON-REFUNDABLE. IN SOME CASES, A REQUEST FOR A JURY TRIAL MAY BE DENIED PURSUANT TO LAW EVEN THOUGH A JURY FEE HAS BEEN PAID.

Note: All Plaintiffs filing this complaint must sign.

Signature of Plaintiff(s)

Address(es) of Plaintiff(s)

Telephone Number(s) of Plaintiff(s)

District Court	▲ COURT USE ONLY ▲
☐ Jefferson County Court - 100 Jefferson County Pkwy Golden, CO 80401 ☐ Gilpin County Court - 2960 Dory Hill Rd Black Hawk, CO 80422	
Plaintiff(s): _____ _____ V. Defendant(s): _____ _____ _____	
My Name: _____ Address: _____ City: _____ State: _____ Phone: _____ Email: _____	Case Number: _____ Division: _____ Courtroom: _____

ANSWER TO DISTRICT COURT CIVIL COMPLAINT

1. A Jury Trial?

   Do you want a Jury? *(Check one)* ☐ No ☐ Yes *(extra fee)*

2. Response to Facts

   Attach additional pages as needed.

_____
_____
_____
_____
_____
_____
_____
_____
_____
_____
_____
_____
_____
_____

3. Affirmative Defense

I should not be held (as) responsible because: *(check all that apply)*

For Contracts

☐ We agreed to end the contract. *Accord and Satisfaction.*

☐ I only entered the contract because of a threat of harm. *Duress.*

☐ I acted after relying on misleading information by the Plaintiff. *Estoppel.*

☐ Other: [**DESCRIBE ANY FACTS YOU BELIEVE REFUTE THAT A CONTRACT EXISTS OR THAT PLAINTIFF HAS ANY RIGHT TO ENFORCE THE CONTRACT**]

_____

_____

For Injuries

☐ The Plaintiff understood there was a high risk of injury. *Assumption of the Risk.*

☐ The Plaintiff's own mistakes contributed to their injury. *Contributory Negligence.*

☐ The Plaintiff didn't act to reduce the damage after injury. *Failure to Mitigate.*

☐ Other: [**DESCRIBE ANY FACTS YOU BELIEVE REFUTE ANY RESPONSIBILITY FOR PLAINTIFF'S INJURIES.**]

_____

_____

For Any Type of Claim

☐ This debt has been discharged in a Bankruptcy.

☐ This matter has been decided by another case. *Res Judicata* | *Collateral Estoppel.*

☐ It is too late to start the case. *Statute of Limitations* | *Laches.*

☐ Other: _____.

4. Counterclaims?

Will you be bringing claims against the Plaintiff? *(Check one)*

☐ No

☐ Yes *(extra fee)*

- Please attach your Counterclaim as a separate document.
- The document contains my grounds for the suit.
- It also contains the facts that establish those grounds.

5. Crossclaims?

Will you be bringing a crossclaim against a co-defendant?

☐ No

☐ Yes *(extra fee)*

- Please attach your Crossclaim as a separate document.
- The document contains my grounds for the suit.
- It also contains the facts that establish those grounds.

WARNING: ALL FEES ARE NON-REFUNDABLE. IN SOME CASES, A REQUEST FOR A JURY TRIAL MAY BE DENIED PURSUANT TO LAW EVEN THOUGH A JURY FEE HAS BEEN PAID.
Note: All Defendants filing this answer must sign unless the answer is signed by an attorney.

VERIFICATION

I declare under penalty of perjury under the law of Colorado that the foregoing is true and correct.

Executed on the _____ day of _____, _____, at _____
(date) (month) (year) (city or other location, and state OR country

_____ _____
(Printed name of Defendant(s) Signature of Defendant(s)

_____
Signature of Attorney for Defendant(s) (if applicable)

Address(es) of Defendant(s): _____

Phone Number(s) of Defendant(s): _____

CERTIFICATE OF SERVICE

I certify that on _____ (date) a true and accurate copy of this *ANSWER TO DISTRICT COURT COMPLAINT was* served on_____ the other party(s) or attorney(s) by:
☐ Hand Delivery
or
☐ by placing it in the United States mail, postage pre-paid, and addressed to the following:

_____
_____
_____

_____
Defendant(s) Signature

JDF 98	**Affidavit of Service**

1. Court: **District Court**

☐ Jefferson County Court - 100 Jefferson County Pkwy Golden, CO 80401

☐ Gilpin County Court - 2960 Dory Hill Rd Black Hawk, CO 80422

This box is for court use only.

2. Parties to the Case

Plaintiff / Petitioner: _____

v.

Defendant / Respondent: _____

3. Filed by

Name: _____

Mailing Address: _____

City: _____ St: ____ Zip: _____

Phone: _____

Email: _____

4. Case Details

Number: _____

Division: _____

Courtroom: _____

5. My Information

I am at least 18 years old and not a party to the action.

6. Documents Served

I served these documents: *(Check all that apply)*

☐ Petition/Complaint ☐ Summons ☐ Case Cover Sheet.

☐ Blank Answer form ☐ Blank Fee Waiver forms ☐ Demand for Compliance

☐ Notice to Terminate Tenancy ☐ Notice of No-Fault Eviction

☐ Protective Order / Citation

☐ Other Documents: *(please identify)* _____

7. Where and When Served

I served the documents above on *(name of party)* _____

In County: _____ State: _____

On: *(date)* _____, at *(time)* _____

At the following location: _____

8. How Served

I delivered the documents: *(check one)*

a) To the Party

☐ By handing them to *(print name)* _____, a person identified to me as the Defendant or Respondent.

☐ By identifying and offering the documents to the Defendant/Respondent, but they refused service. I left the documents in a conspicuous place.

b) At Home

☐ By leaving them with *(print name)* _____, at the Defendant/Respondent's home *(usual abode)*, who is at least 18-years old and is the Defendant/Respondent's: (enter family relationship) _____

c) At Work

☐ By leaving them with *(print name)* _____, at the Defendant/Respondent's work *(usual workplace)*.

They are the Defendant/Respondent's: *(Check one)*

☐ Secretary. ☐ Admin Assistant. ☐ Bookkeeper. ☐ Managing Agent.

☐ By leaving them with *(print name)* _____ who as *(enter title)* _____ is authorized by appointment or law to receive service of process for the Defendant/Respondent.

d) Other

☐ As otherwise allowed by Colorado Rules of Civil Procedure (C.R.C.P.) Rules 4(g) or 304(c)-(e). *(Explain):* _____

e) Personal Service Not Made

☐ I attempted to serve the Defendant/Respondent on *(number)* _____ occasions, on different dates, but have not been able to complete personal service.

Personal Service Attempt 1 *(enter date)* _____

Personal Service Attempt 2 *(enter different date)* _____

I made efforts such as: _____

☐ If checked, return to the Plaintiff/Petitioner is made on *(date)* _____

Service by Posting [Eviction Cases Only] C.R.S. §§ 13-40-108, 112

☐ Because I haven't been able to complete service, I posted a copy of the documents in a conspicuous place at the rental property's address stated in the Complaint or Eviction Notice on *(date)* _____

9. Service Fees

I am a:

☐ Private process server. ☐ Sheriff for *(enter county)* _____

I charged the following fees:

Base Fee $ _____ Mileage $ _____

☐ No Fees Charged. Fees waived (Domestic Violence Protection Order).

10. Verified Signature

I declare under penalty of perjury under the law of Colorado that the foregoing is true and correct.

Executed on the *(date)* _____ day of *(month)* _____ *(year)* _____
at City: *(or other location)* _____
and State: *(or country)* _____

Print Your Name: _____
Your Signature: _____