

JDF 102	<h2>Eviction Summons</h2> <p>C.R.S. § 13-40-111</p>	
A. Court Type: (ex: County or District) Colorado County: Mailing Address:		
B. Parties to the Case Plaintiff: (<i>Landlord</i>) vs. Defendant: (<i>Tenant</i>)		<i>This box is for court use only.</i>
C. Landlord's Attorney Information (<i>if any</i>) Name: _____ Bar #: _____ Mailing Address: City, State, Zip: Phone: Email:		D. Case Details Number: Division/Courtroom:

1. Eviction Case

You (*the Defendant*) are now involved in a court case to decide if you should be evicted from your residence or commercial unit.

Along with this Summons, you will get a document called a Complaint. The Complaint will explain why the Landlord (*the Plaintiff*) is evicting you (*cause/grounds/claims*) and what they want the court to do (*relief/damages*).



2. Your Next Steps

a) **Return Date On:** (*date – MM/DD/YYYY*) **At:** (*time*)

Depending on the county, the *Return Date* may be a meeting to resolve the case before trial. Or, it may just be the deadline for filing your written response.

- No meeting held. Skip to [Section 2b]. Note:
- A meeting in room: _____ at the Court's address above. Or,
- Other: _____

Depending on the outcome of the *Return Date*, the Court may schedule the case for a formal trial. You can appear by phone or video for court events. See [Section 4].

b) Written Answer

If you disagree that you should be evicted, submit an Answer form, due on the *Return Date*.

Along with this summons, forms you should receive:

(Form Used)

- 1) A blank answer form.

(JDF 103 – Residential Tenants)
(JDF 143 – Mobile Homeowners)

- 2) A blank request for documents form.

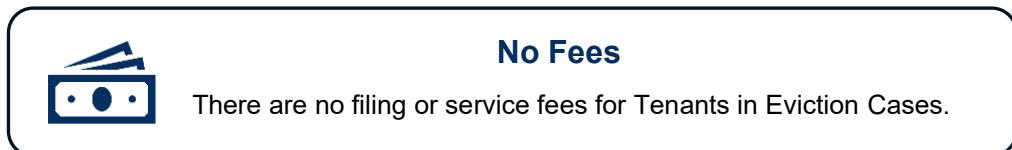
(JDF 108 – Request for Documents)

c) Submit Forms (*online, in-person, or by mail*)

- 1) **File Online:** create an account at [www.jbits.courts.state.co.us/efiling].

- File, serve, and see the case file from your smartphone or computer.
- **Note:** Not available for cases in Denver County Court. For more info, visit [www.denvercountycourt.org].

- 2) Bring the completed paperwork to the *Return Date* or mail/deliver it to the court before then. Then, mail a copy of those forms to the Landlord.



3. Consequences

If you do not file a written *Answer* or attend the *Return Date* meeting, the judge will not know if you have any defenses and may enter a default judgment against you. This means you could be evicted and have to pay the money you owe to the landlord.

In other words:

If you do not respond to the landlord's complaint by filing a written answer with the court on or before the date and time in this summons or appearing in court at the date and time in this summons, the judge may enter a default judgment against you in favor of your landlord for possession. A default judgment for possession means that you will have to move out, and it may mean that you will have to pay money to the landlord. In your answer to the court, you can state why you believe you have a right to remain in the property, whether you admit or deny the landlord's factual allegations against you, and whether you believe you were given proper notice of the landlord's reasons for terminating your tenancy before you got this summons.

C.R.S. § 13-40-111(1).

4. Notifications

Privacy and Fees

- a) Any documents filed in this case can only be seen by the parties, not the public.
 - b) If the Court orders an eviction, the case documents will be made public unless both parties agree to keep them private.
 - c) The Jury Fee is non-refundable. Sometimes, a jury trial will be denied because it is not authorized by law, even though you paid the jury trial fee.

Virtual Participation

- a) You can choose to participate in Court events by phone or video. You can do this in your *Answer* form or by filing *JDF 105 – Notice About Remote Participation*.
 - b) If you select to participate virtually, the Court will send/provide information on how to attend. If disconnected during the event, try to reconnect or contact the court.

In other words:

Any records associated with the action are suppressed and not accessible to the public until an order is entered granting the plaintiff possession of the premises. If the plaintiff is granted possession of the premises, the court records may remain private if both parties agree to suppress the records. For a residential action filed in County Court pursuant to this article 40, either party has a right to appear in person or remotely by phone or video on a platform designated by the court. If a party participates remotely and the party is disconnected or there is a technology failure, the court shall make all reasonable efforts to contact the party and shall allow reasonable time for the party to reestablish connection. If the party is unable to reestablish connection, the court shall reschedule the hearing in person on the first available date after the date of the originally scheduled hearing but no later than once week after the originally scheduled hearing, to the extent practicable. The Court shall not enter a default judgment if a party is unable to participate remotely due to a technological disconnection or failure. If the defendant has experienced unlawful sexual behavior, stalking, domestic violence, or domestic abuse that was the cause of, or contributed to, or resulted in an alleged lease violation that is the subject of the action for possession, a defense may exist and the tenant may be entitled to a repayment plan pursuant to section 13-40-104(4)(e) for any rent that remains lawfully owed. To enroll in the Colorado Address Confidentiality Program pursuant to sections 24-30-2101 et seq, visit dcs.colorado.gov/acp.

5. Signed and Dated

Signed by: Court Clerk Plaintiff's Attorney

Signature: _____ Dated: _____

Plaintiff's Address:

Plaintiff's Phone:

6. Certificate of Mailing

Plaintiff, be sure to file *JDF 98 – Affidavit of Service* when service has been completed.

If checked, I swear that on *(date)* this summons, eviction complaint *(and attachments)*, blank answer form, and request for document forms were mailed by first class mail to the Defendants at the following address: *(include city, state, and zip-code)*

Landlord or Landlord's Agent Signature:

7. Resources

Court Self-Help Centers

Find a Local Self-Help Center: [www.coloradojudicial.gov/self-help-resources]

Colorado Legal Services

Free legal services to low-income tenants.

Call (303) 837-1313 ext. 444 or visit [www.coloradolegalservices.org]

Colorado Department of Local Affairs

Help with rental assistance, housing counseling, eviction and foreclosure prevention, and more.

Call (303) 864-7810 or visit [cdola.colorado.gov/housing]

Colorado Housing Connects

Free housing, eviction, and foreclosure resources for tenants, landlords, homeowners, and homebuyers.

Call (844) 926-6632 or visit [coloradolohousingconnects.org]

Colorado Poverty Law Project

Free legal services to fight eviction and housing insecurity.

Visit [www.copovertylawproject.org]

Community Economic Defense Project

Free legal aid and guidance to tenants facing eviction and housing insecurity.

Visit [www.cedproject.org]