

County Court, _____ County, Colorado Court address:	
<b>Plaintiff(s):</b>  v. <b>Defendant(s):</b>	
Attorney or Party Without Attorney (Name and Address):   Phone Number: FAX Number: E-mail: Atty. Reg. #:	<b>▲ COURT USE ONLY ▲</b> Case Number:  Division:                      Courtroom:
<b>SUMMONS IN FORCIBLE ENTRY AND UNLAWFUL DETAINER</b>	

To the above named Defendant(s): Take notice that

1. On \_\_\_\_\_, 20\_\_\_\_ at \_\_\_\_\_ o'clock \_\_\_\_\_. M., in the \_\_\_\_\_ County Court, \_\_\_\_\_, Colorado, the Court may be asked to enter judgment against you as set forth in the complaint.
2. A copy of the complaint against you and an answer form which you must use if you file an answer are attached.
3. If you do not agree with the complaint, then you must either:
  - a. Go to the Court, located at \_\_\_\_\_, \_\_\_\_\_, Colorado, at the above date and time and file an answer stating any legal reason you have why judgment should not be entered against you, **OR**
  - b. File the answer with the Court before that date and time.
4. When you file your answer, you must pay a filing fee to the Clerk of the Court.
5. If you file an answer, you must personally serve or mail a copy to the Plaintiff(s) or the attorney who signed the complaint.
6. If you do not file with the Court, at or before the time for appearance specified in this summons, an answer to the complaint setting forth the grounds upon which you base your claim for possession and denying or admitting all of the material allegations of the complaint, judgment by default may be taken against you for the possession of the property described in the complaint, for the rent, if any, due or to become due, for present and future damages and costs, and for any other relief to which the Plaintiff(s) is (are) entitled.
7. If you are claiming that the landlord's failure to repair the residential premises is a defense to the landlord's allegation of nonpayment of rent, the court will require you to pay into the registry of the court, at the time of filing your answer, the rent due less any expenses you have incurred based upon the landlord's failure



to repair the residential premises. In addition to filing an answer, you are required to complete an Affidavit (JDF 109) to support the amount you will need to pay into the registry of the Court.

8. If you want a jury trial, you must ask for one in the answer and pay a jury fee in addition to the filing fee.
9. If you want to file an answer or request a jury trial and you are indigent, you must appear at the above date and time, fill out a financial affidavit, and ask the Court to waive the fee.

Dated at \_\_\_\_\_, Colorado, this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_\_.

By \_\_\_\_\_  
Deputy Clerk

\_\_\_\_\_  
Attorney for Plaintiff(s) (if applicable)

\_\_\_\_\_  
Address(es) of Plaintiff(s)

\_\_\_\_\_  
Telephone Number(s) of Plaintiff(s)

This Summons is issued pursuant to §13-40-111, C.R.S. A copy of the Complaint together with a blank answer form must be served with this Summons. This form should be used only for actions filed under Colorado's Forcible Entry and Detainer Act.

To the clerk: If this 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.

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

**RETURN OF SERVICE**

I declare under oath that:

1. I served this Summons, a copy of the Complaint in this case, and a copy of the Answer form on \_\_\_\_\_ on \_\_\_\_\_ (date), at \_\_\_\_\_ (time), in the County of \_\_\_\_\_, State of \_\_\_\_\_, at the following location: \_\_\_\_\_.
2. I served the above documents in the following manner (check one):
  - by handing them to a person identified to me as the Defendant.
  - by identifying the documents and offering to leave them with a person who I know, or have reason to identify, as the person being served, who refused service; and then by leaving them in a conspicuous place.
  - by leaving them at the Defendant's usual place of abode with \_\_\_\_\_, who is 18 years of age or older and a member of the Defendant's family.
  - by leaving them at the Defendant's usual workplace with \_\_\_\_\_, who is the Defendant's \_\_\_\_\_ (secretary, administrative assistant, bookkeeper, managing agent).
  - by leaving them with \_\_\_\_\_, who as \_\_\_\_\_ (title), is authorized by appointment or law to receive service of process for the Defendant.
  - I have made diligent efforts but have been unable to make personal service on the Defendant and I have made service by posting the documents in a conspicuous place on the premises described herein.
  - by substituted service on \_\_\_\_\_, in accordance with C.R.C.P. 304(e), and by then mailing the documents to the following address: \_\_\_\_\_.
  - by serving them as follows (other service permitted by C.R.C.P. 304): \_\_\_\_\_.
3.  I attempted to serve the Defendant on \_\_\_\_\_ occasions but have not been able to locate the Defendant. Return to the Plaintiff is made on \_\_\_\_\_ (date).
4.  I am 18 years of age or older and am not a party to this case.
5.  My fee for serving the above documents was \$\_\_\_\_\_.

\_\_\_\_\_  
Signature

Private Process Server  
 Sheriff, \_\_\_\_\_ County

Subscribed and affirmed or sworn to before me this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_, in the County of \_\_\_\_\_, State of \_\_\_\_\_.

My commission expires: \_\_\_\_\_  
Notary Public/Clerk

**CERTIFICATE OF MAILING**

I/we, the undersigned Plaintiff(s) (or agent for Plaintiff(s)), certify that on \_\_\_\_\_ (date), the date on which the Summons, Complaint, and Answer were filed, I/we mailed a copy of the Summons/Alias Summons, a copy of the Complaint, and Answer form by postage prepaid, first class mail, to \_\_\_\_\_, the Defendant(s) at the following address(es):

\_\_\_\_\_  
Plaintiff(s)/Agent for Plaintiff(s)

**Section 13-40-111 Colorado Revised Statutes, as amended.****13-40-111. Issuance and return of summons.**

(1) Upon filing the complaint as provided in §13-40-110, C.R.S., the clerk of the court or the attorney for the plaintiff shall issue a summons. The summons shall command the Defendant to appear before the court at a place named in such summons and at a time and on a day which shall be not less than five business days nor more than ten calendar days from the day of issuing the same to answer the complaint of Plaintiff. The summons shall also contain a statement addressed to the Defendant stating: "If you fail to file with the court, at or before the time for appearance specified in the summons, an answer to the complaint setting forth the grounds upon which you base your claim or possession and denying or admitting all of the material allegations of the complaint, judgment by default may be taken against you for the possession of the property described in the complaint, for the rent, if any, due or to become due, for present and future damages and costs, and for any other relief to which the Plaintiff is entitled". If you are claiming that the landlord's failure to repair the residential premises is a defense to the landlord's allegation of nonpayment of rent, the Court will require you to pay into the registry of the Court, at the time of filing your answer, the rent due less any expenses you have incurred based upon the landlord's failure to repair the residential premises.

(2) For purposes of this section, "business days" means any calendar day excluding Saturdays, Sundays, and legal holidays.

**13-40-112. Service.**

(1) Such summons may be served by personal service as in any civil action. A copy of the complaint must be served with the summons.

(2) If personal service cannot be had upon the Defendant by a person qualified under the Colorado Rules of Civil Procedure to serve process, after having made diligent effort to make such personal service, such person may make service by posting a copy of the summons and the complaint in some conspicuous place upon the premises. In addition thereto, the Plaintiff shall mail, no later than the next day following the day on which he/she files the complaint, a copy of the summons, or, in the event that an alias summons is issued, a copy of the alias summons, and a copy of the complaint to the Defendant at the premises by postage prepaid, first class mail.

(3) Personal service or service by posting shall be made at least five days before the day for appearance specified in such summons, and the time and manner of such service shall be endorsed upon such summons by the person making service thereof.

(4) For purposes of this section, "business days" means any calendar day excluding Saturdays, Sundays, and legal holidays.