

DEADLINES AND MANNERS OF SERVICE

PLEADING	DEADLINE FOR SERVICE	AUTHORITY For Deadlines	MANNER OF SERVICE	AUTHORITY For Manner of Service	NOTES
Summons and Complaint					
Small Claims Court	15 days prior to trial date	CRCP 504(a)	Personal Service** or as otherwise allowed by Rule 304	CRCP 504(b)	A Notice, Claim and Summons to Appear for Trial is one combined document that is served.
County Court	14 days prior to appearance date	CRCP 312(a)	Personal Service** or as otherwise allowed by Rule 304	CRCP 304	<ol style="list-style-type: none"> 1. A blank copy of the Answer form must be served with the Complaint (CRCP 304(b)). 2. Service by refusal requires that the documents be identified as a "Summons and Complaint" (CRCP 304(j)). 3. Complaint and Summons must be filed within 14 days of service and at least 7 days before appearance date (CRCP 303) – use care if multiple defendants.
District Court	Set by court		Personal Service** or as otherwise allowed by Rule 4	CRCP 4	<ol style="list-style-type: none"> 1. Complaint and Summons must be filed within 14 days of service (CRCP 3) – use care if multiple defendants. 2. Service by refusal requires that you "identify the documents being served" (CRCP 4(k)).

**Personal Service includes all manners of service allowed by Rule 4(e) including but not limited to personal, family member at home, and workplace service as permitted by the Rule, service by refusal, etc.

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Federal Court	120 days after case is filed	FRCP 4(m)	Personal Service	FRCP 4 and CRCP 4	Federal rules permit service by following state rules in addition to federal rules – federal rules permit service at a person’s abode to anyone of “suitable age and discretion” who also resides there – FRCP 4(e)(2)(B).
Subpoenas					
Small Claims Court	Follow County Court rules	CRCP 510(b)			
County Court	48 hours before time for appearance	CRCP 345(c)	Person named therein with fees and mileage for 1 day	CRCP 345(c)	
District Court					
<ul style="list-style-type: none"> • Depositions 	7 days prior	CRCP 45(b)(1)(B)	Delivery to the “named person”	CRCP 45(b)(2)	1 days’ mileage must be paid before attendance is required; mileage can be tendered with subpoena, but is not mandatory (CRCP 45(b)(3)).
<ul style="list-style-type: none"> • Production of Documents (Duces Tecum) 	14 days prior or ASAP if for expedited hearing	CRCP 45(b)(1)(C)	Delivery to the “named person”	CRCP 45(b)(2)	
<ul style="list-style-type: none"> • Hearings and Trial 	48 hours before time set for appearance	CRCP 45(b)(1)(A)	Delivery to the “named person”	CRCP 45(b)(2)	<ol style="list-style-type: none"> 1. Same mileage requirements as depositions. 2. Whether weekends/holidays count is no longer settled law, but is an argument for the attorneys rather than process server.

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Criminal Court	NONE		Delivering a copy to the “person named”	Colo Crim P 17(e)	Fees and Mileage are required only if ordered.
Federal Court	NONE – but the attorney must avoid undue burden	FRCP 45(b)(1)	Delivery to the “named person”	FRCP 45(b)(1)	
Forcible Entry and Detainer					
<ul style="list-style-type: none"> Written Demand or Notice to Quit 	3 days prior to filing of Complaint		Delivery to the tenant or other occupant, or family member 16 or older (must reside there or be “in charge”) - can post in conspicuous place on first attempt	CRS §13-40-108	The time for posting the Demand may be modified to a longer time by the Lease
<ul style="list-style-type: none"> Summons and Complaint 	7 days prior to appearance date	CRS §13-40-112(3)	1) personal service as in any civil action (required for money judgment) 2) posting in conspicuous place after diligent efforts have been made	CRS §13-40-112	In the case of posting, a copy of the summons and complaint must be mailed to the Defendant no later than the next business day after the case is filed. CRS §13-40-112(2) Different judges may have different opinions of what diligent efforts are required prior to posting – ask the attorney if you can post on first attempt (first attempt not diligent for Weld County).

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Temporary Protective Order	Before return date		Pursuant to Rule 4 and 304 (subservice and refusal is permitted)	CRS §13-14-104.5(9)	Protective Order is not effective until served Complaint or Motion must be served with the Citation and Temporary Protective Order – CRS §13-14-104.5(9)
Contempt Citation (same for County or District)	21 days prior to time set for appearance	CRCP 107(c) or CRCP 407(c)	Served directly upon such person	CRCP 107(c) or CRCP 407(c)	Citation and copy of the verified motion must be served (CRCP 107(c)).
Writ of Garnishment					
<ul style="list-style-type: none"> Continuing Garnishment 			Upon the garnishee pursuant to CRCP 4	CRCP 103	Two copies of the writ must be served along with a blank copy of the Objection Form (CRCP Form 28)
<ul style="list-style-type: none"> With Notice of Exemption and Pending Levy 			1) Upon the garnishee pursuant to CRCP 4 AND 2) Upon the judgment debtor – personally or at abode with family member over 18	CRCP 103 and CRS §13-54.5-107(2)	Service upon the judgment debtor requires service of the Writ and Objection Form (CRCP 30)
Judgment Interrogatories					District Court – follow subpoena Rules (CRCP 69) County Court – follow Rule 304 (CRCP 369)
Replevin Same for District and County	7 days prior to hearing date	CRCP 104 and CRCP 404	Personal service pursuant to CRCP 4	CRCP 104 and CRCP 404	