

§ 13-6-403. Jurisdiction of small claims court - limitations.

Colorado Statutes

Title 13. COURTS AND COURT PROCEDURE

COURTS OF RECORD

Article 6. County Courts

Part 4. COUNTY COURT - SMALL CLAIMS DIVISION

Current through 2019 Legislative Session

§ 13-6-403. Jurisdiction of small claims court - limitations

- (1) On and after January 1, 1996, the small claims court shall have concurrent original jurisdiction with the county and district courts in all civil actions in which the debt, damage, or value of the personal property claimed by either the plaintiff or the defendant, exclusive of interest and cost, does not exceed seven thousand five hundred dollars, including such civil penalties as may be provided by law. By way of further example, and not limitation, the small claims court shall have jurisdiction to hear and determine actions in tort and assess damages therein not to exceed seven thousand five hundred dollars. The small claims court division shall also have concurrent original jurisdiction with the county and district courts in actions where a party seeks to enforce a restrictive covenant on residential property and the amount required to comply with the covenant does not exceed seven thousand five hundred dollars, exclusive of interest and costs, in actions where a party seeks replevin if the value of the property sought does not exceed seven thousand five hundred dollars, and in actions where a party seeks to enforce a contract by specific performance or to disaffirm, avoid, or rescind a contract and the amount at issue does not exceed seven thousand five hundred dollars.
- (2) The small claims court shall have no jurisdiction except that specifically conferred upon it by law. In particular, it shall have no jurisdiction over the following matters:
 - (a) Those matters excluded from county court jurisdiction under section 13-6-105(1) ;
 - (b) Actions involving claims of defamation by libel or slander;
 - (c) Actions of forcible entry, forcible detainer, or unlawful detainer;
 - (d) (Deleted by amendment, L. 2001, p. 1512, §2, effective September 1, 2001.)
and
 - (e)

- (f) Actions brought or defended on behalf of a class;
- (g) Actions requesting or involving prejudgment remedies;
- (h) Actions involving injunctive relief, except as required to:
 - (I) Enforce restrictive covenants on residential property;
 - (II) Enforce the provisions of section 6-1-702.5, C.R.S.;
 - (III) Accomplish replevin; and
 - (IV) Enter judgments in actions where a party seeks to enforce a contract by specific performance or to disaffirm, avoid, or rescind a contract;
- (i) Traffic violations and other criminal matters;
- (j) Awards of body executions.

Cite as C.R.S. § 13-6-403

History. L. 76: Entire part added, p. 518, § 1, effective October 1. L. 81: (1) amended, p. 879, § 2, effective July 1. L. 87: (1) amended, p. 544, § 1, effective July 1. L. 88: (1), (2)(e), and (2)(h) amended, p. 601, § 2, effective July 1. L. 90: (1) amended, p. 849, § 4, effective May 31; (1) amended, p. 855, § 4, effective July 1. L. 95: (1) amended, p. 728, § 1, effective January 1, 1996. L. 2000: (2)(h) amended, p. 2034, § 3, effective August 2. L. 2001: Entire section amended, p. 1512, § 2, effective September 1. L. 2008: (2)(h)(II) amended, p. 596, § 5, effective August 5.

Case Notes:

ANNOTATION

Small claims court actions for monetary damages do not bar on the basis of res judicata subsequent 42

U.S.C. § 1983 claims for equitable relief in federal court. *Ortiz v. Costilla County Bd. of Comm'rs*, 11 F. Supp. 2d 1254 (D. Colo. 1998).

Cross References:

For the legislative declaration contained in the 1990 act amending subsection (1), see section 1 of chapter 100, Session Laws of Colorado 1990.