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Contact: Kristin Weber at kweber@halt.org
202/887-8255

Colorado Small Claims Courts Receive High Marks in National Report Card

State's Small Claims Courts Third Best in the Nation but Reform Group Says There's Room to Improve

HALT—*An Organization of Americans for Legal Reform* released its 2004 Small Claims Report Card today, grading all 50 states and the District of Columbia on their small claims courts. The legal consumer advocacy group publicizes the value of small claims courts, the only place in the civil justice system where people can resolve common disputes without an attorney. While HALT's 2004 Small Claims Report Card illustrates that Colorado's small claims courts provide a strong alternative to traditional litigation, more reforms are still needed.

Colorado is one of four states to earn a grade of "B" grade. Colorado's courts hear small claims cases up to \$7,500. It is one of only 10 states with a small claims jurisdictional limit of \$7,500 or more. The state also generally prohibits parties in small claims court from being represented by attorneys. Discouraging the use of attorneys makes small claims court a true people's court by eliminating much of the legal red tape that often slows down court proceedings. Finally, most of the Colorado courts surveyed by HALT offer free mediation services to help people resolve their disputes amicably before facing a judge.

"While Colorado scored high marks, there is still room for improvement in many areas," said HALT Senior Counsel Tom Gordon. "For example, most small claims courts in Colorado do not have small claims advisors to explain the court's procedures to users. Also, while the state's \$7,500 limit on claims is higher than most states, it still leaves many people stuck in a legal no-man's land with a dispute that is too large for small claims court, yet not large enough to hire an attorney."

The 2004 report card emphasizes the urgent need to raise jurisdictional dollar limits on small claims courts in Colorado; HALT advocates a \$20,000 limit on claims. The report card also reveals the necessity of implementing reforms to make these courts more consumer-friendly and accessible—true people's courts.

HALT's 2004 Small Claims Report Card graded states in six categories: dollar limit, self-help, convenience, mediation, expedited collection and injunctive relief. Grades varied from the "B" range for Colorado, top-ranked Georgia and two other states, to failing marks for Delaware, Kentucky, Mississippi and Missouri. No state received an "A" grade.

Small claims courts—which use simplified procedures, require plain English, provide consumer aids and often prohibit lawyers—have tremendous promise as a means of empowering ordinary people to take charge of their own routine legal needs. By reforming these courts to fulfill this promise, Colorado lawmakers can show a commitment to opening up the legal system to its citizens.

A more extensive summary of HALT's 2004 Small Claims Report Card, along with the national and state report cards, can be found on HALT's Web site at www.halt.org. Founded in 1978, HALT—*An Organization of Americans for Legal Reform* is a nonpartisan, nonprofit public interest organization. HALT pursues an aggressive education and advocacy program that challenges the legal establishment to improve access and accountability and reduce costs in the civil justice system.