



Our Courts

See You In Court: The Life of a Civil Lawsuit

Why do we need lawsuits?

- Disputes happen
- Parties need legal resolution
- Wrongs need to be remedied



Time for a “crash course”



You have rights and remedies

- Money damages for contract breaches, personal injuries, etc.
- Orders to take/stop action
- Declarations of parties' rights



Filing the Lawsuit

- When?
- How?
- Notifying the other side



The First Steps Are Written

- The complaint
 - What the party wants
- The answer
 - The defenses



How the Judge Is Assigned

- Cases are randomly assigned to judges
- Judges must ensure their impartiality



Disclosure Requirements

- Both sides voluntarily show their cards



Discovery: finding the facts

- Written discovery:
 - Written questions
 - Requests for documents
 - Requests for admissions
- Depositions

DISTRICT COURT, CITY AND COUNTY OF DENVER,
COLORADO

Court Address: Denver City & County Building
1437 Bannock Street
Denver, Colorado 80202-5337

Plaintiff:
PETER PAUL PLAINTIFF

v.

Defendant:
DAVID DU

PLAINT

▲ COURT USE ONLY ▲

Case Number: 2010CV####

Div.: # Ctm.: #

OGATORIES



Pretrial motions: The Judge as referee

- The Judge hears disagreements between parties
- Can a Judge throw a case out?

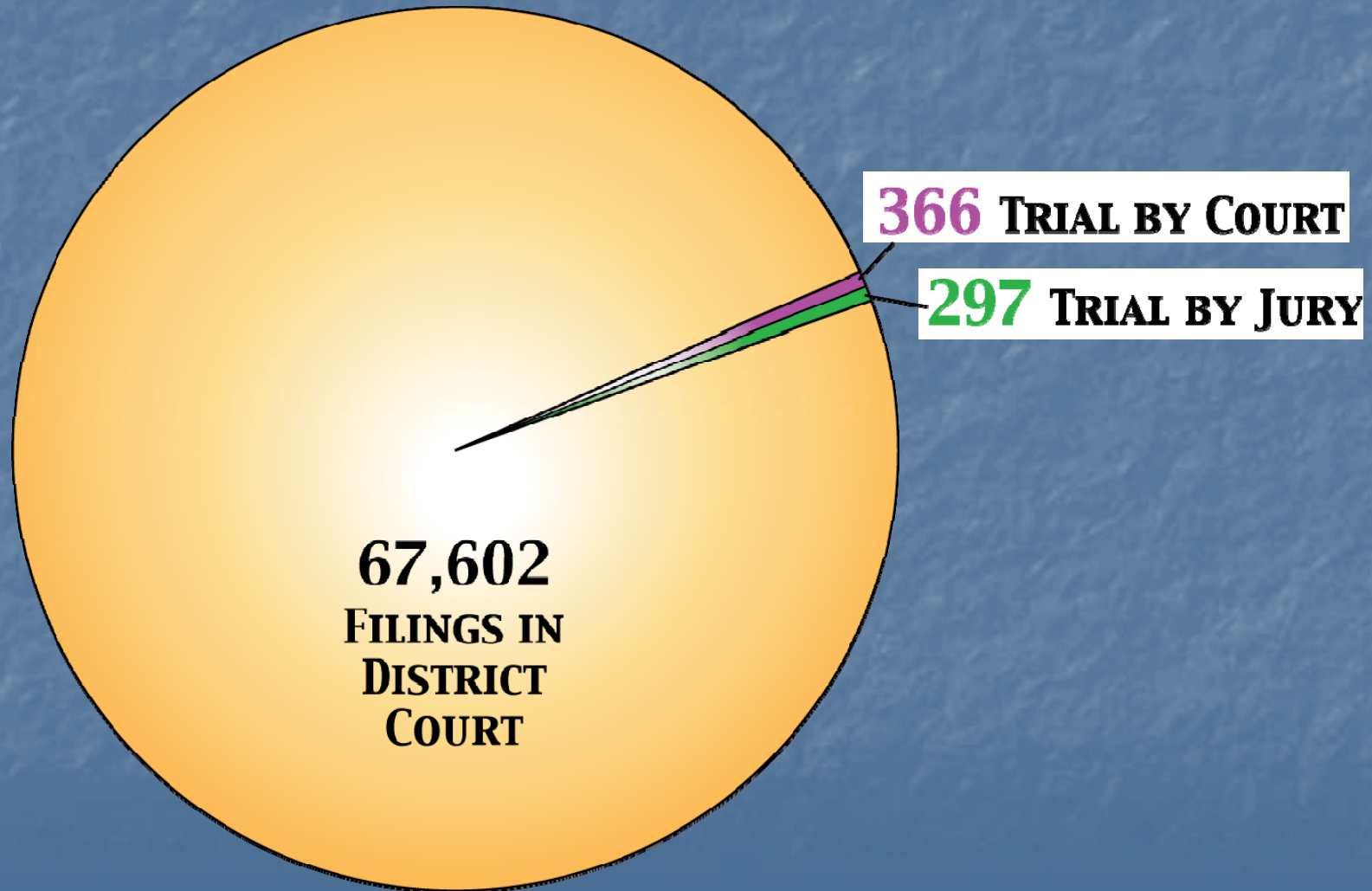


There are other ways to resolve the dispute

- ADR – Alternate Dispute Resolution
 - Mediation
 - Arbitration



Most Cases Do Not Go to Trial



Two types of trials

- Trial by Jury

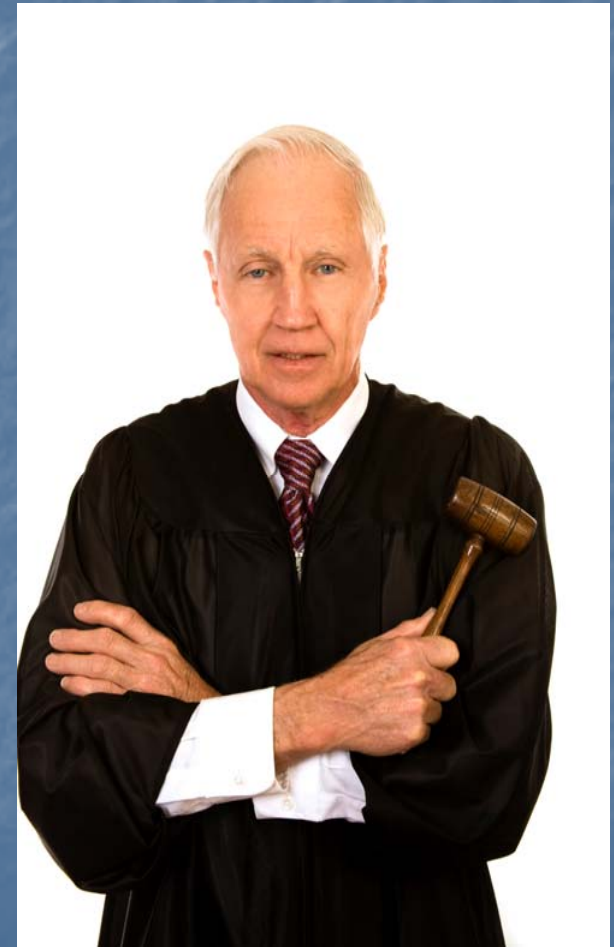


- Trial by Court



The Judge has an important role at trial

- Always apply the law
 - U.S. and Colorado State Constitution
 - Statutes
 - Higher Court Decisions
- Always enforce the rules of procedure and evidence
- Sometimes decide the facts of disputes



The Jury

- Must be fair and impartial
- How the jury is selected
- Role of the jury:
 - Apply the law
 - Judge witness credibility
 - Decide what happened



The Trial Steps

Opening Statements

Plaintiff's Case

Defendant's Case

Plaintiff's Rebuttal

Closing Arguments

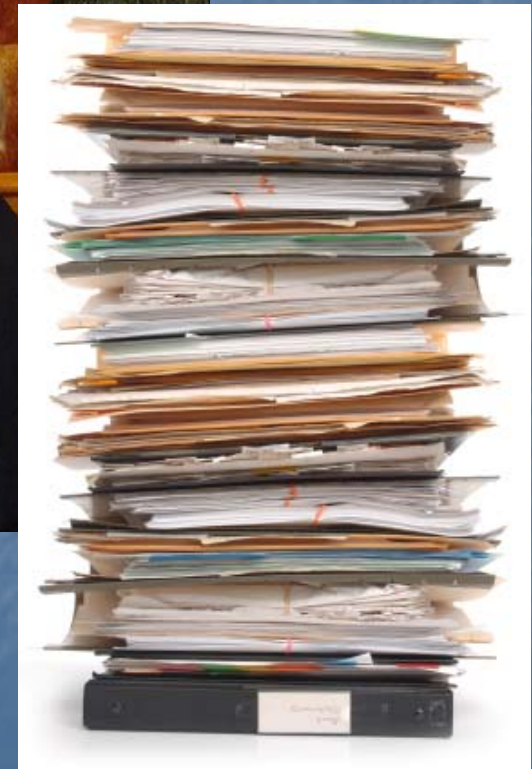
Jury Instructions

Deliberation

Verdict

What is evidence?

- Testimony by laypeople
- Expert opinions
- Documents and things
- Agreed upon facts



Where's my money?

- **Myth:** The Court helps collect any award
- **Fact:** The parties usually have to work it out
 - And you usually have to pay your lawyer



Trial courts do not have the last word



Byron R. White U.S. Courthouse
10th Circuit

Equal Justice Under Law

**Applying
the Rule of Law**

Equally to All

**Equal
Justice**

Fair & Impartial Courts



Our Courts

Serving Colorado
Serving Justice