

Colorado Judicial Branch

Cases and Parties without Attorney Representation in Civil Cases

Fiscal Year 2023



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Cases and Parties without Attorney Representation in Civil Cases FY2023

Providing appropriate resources for pro se parties in the courts is important both as an access to justice issue for citizens and for the efficient operation of courts across the state.

The following tables identify the volume of parties and cases that come before the court without attorney representation. All of these measures have been limited on the time period the case was initially filed; in this sample, the time period is fiscal year 2023 (July 2022 through June 2023). There are several similar, but distinct ways to measure this activity.

Case Level Pro Se Rate: The first measure calculates the number of cases in which no attorney has entered an appearance on the case- meaning neither side has representation. This measure is significant because it illustrates the number of cases in which it is possible no one involved in the case has had experience with the courts or the legal system.

Party Level Pro Se Rate: The second measure calculates the number of parties without representation involved in court cases. This measure allows us to more fully illustrate the number of litigants who come into the court without representation. This measure can also provide further direction for court policy and resources as it can demonstrate which side of a case has representation in various case types.

Caveats and limitations: These measures are based on the moment in time the data was extracted from the court's database. The attorney representation numbers will change over time. A party that did not have an attorney on the day the data was extracted may get an attorney in the future. At the same time, a person who had an attorney at the beginning of their case may choose to proceed without an attorney in the future. Due to the way the data must be extracted, once an attorney has entered an appearance for a party, that party and case will still be measured as having an attorney. This data was extracted in Jul 11, 2023.

We have calculated these measures in three civil case classes: domestic relations, county civil and district civil. These three case classes are highlighted due to the higher volume of pro se litigant participation historically. However, it is important to note that these three case classes represent only a fraction of the cases filed in Colorado in Fiscal Year 2023. In fact, the cases included in this analysis (175,040) account for only 34% of the total number of cases filed in Fiscal Year 2023 (509,908). Therefore this report does not represent all pro se litigant activity in the State of Colorado, but rather offers a glimpse into pro se activity in a few key areas. More detailed analysis follows.

This report does not include Denver County Court filings.

Domestic Relations Cases Filed in FY2023

Judicial District	Total Cases	Total Cases without Attorney	Case Level Pro Se Rate	Total Parties	Total Parties without Attorney	Party Level Pro Se Rate
1	2,559	1,597	62%	5,199	3,696	71%
2	3,884	2,731	70%	7,983	6,331	79%
3	150	117	78%	314	266	85%
4	5,418	3,615	67%	11,004	8,306	75%
5	501	285	57%	1,011	693	69%
6	325	218	67%	666	495	74%
7	645	463	72%	1,335	1,063	80%
8	1,727	1,081	63%	3,526	2,542	72%
9	475	303	64%	963	710	74%
10	1,113	839	75%	2,410	2,004	83%
11	529	368	70%	1,083	854	79%
12	320	260	81%	664	581	88%
13	457	343	75%	945	789	83%
14	261	150	57%	527	350	66%
15	114	97	85%	238	209	88%
16	195	151	77%	427	365	85%
17	3,058	2,060	67%	6,286	4,815	77%
18	4,926	2,987	61%	9,995	7,012	70%
19	1,966	1,303	66%	4,109	3,129	76%
20	1,214	743	61%	2,465	1,735	70%
21	986	702	71%	2,079	1,662	80%
22	164	134	82%	333	291	87%
Total	30,987	20,547	66%	63,562	47,898	75%

Domestic Relations cases include dissolutions of marriage and civil unions, allocation of parental responsibility, administrative support orders, marriage invalidity, as well as legal separation. The parties included in this measure were petitioner, co-petitioner, and respondent. As this table demonstrates, 66% of the domestic relations cases filed in fiscal year 2023 had no attorney on the case, meaning that every party involved was pro se. However, within that group of cases filed, there were 63,562 parties and of those parties, 75% did not have representation when the data was extracted. When this data was broken out by specific case types, the party pro se rate was fairly consistent with the overall rate.

District Civil Cases Filed in FY2023

Judicial District	Total Cases	Total Cases without Attorney	Case Level Pro Se Rate	Total Parties	Total Parties without Attorney	Party Level Pro Se Rate
1	1,535	175	11%	4,669	1,930	41%
2	4,223	647	15%	12,159	4,673	38%
3	95	8	8%	323	126	39%
4	2,302	289	13%	6,536	2,538	39%
5	414	20	5%	1,645	735	45%
6	250	31	12%	892	466	52%
7	327	44	13%	1,158	512	44%
8	915	99	11%	2,840	1,133	40%
9	309	27	9%	916	321	35%
10	402	38	9%	1,157	437	38%
11	408	84	21%	1,363	678	50%
12	143	15	10%	503	276	55%
13	237	52	22%	739	401	54%
14	194	11	6%	812	351	43%
15	59	16	27%	162	86	53%
16	111	20	18%	346	201	58%
17	1,780	123	7%	5,004	1,895	38%
18	3,306	391	12%	9,542	3,626	38%
19	739	48	6%	2,180	844	39%
20	974	112	11%	2,902	1,057	36%
21	397	47	12%	1,131	464	41%
22	61	9	15%	187	87	47%
Total	19,181	2,306	12%	57,166	22,837	40%

In this case class both tax liens (distrainment warrants) and residential foreclosures (Rule 120s) have been excluded from the measure. Tax lien cases are filed administratively with no attorney, and have experienced volatile filing volumes in the past several years, skewing the pro se numbers in this category. Similarly, foreclosure cases almost always have an attorney representing the filing party, which is generally a bank, while the responding party (the homeowner) rarely does. The parties included in these cases were plaintiff/petitioner (including 3rd, 4th, 5th party plaintiffs), respondent/defendant (including 3rd, 4th, 5th party defendants) and intervenors and interpleaders (included as filing parties).

This table demonstrates that in 12% of cases no party has an attorney. More dramatically, the table shows that of the 57,166 parties involved in these cases, 40% were not represented when the data was extracted.

County Civil Cases Filed in FY2023

Judicial District	Total Cases	Total Cases without Attorney	Case Level Pro Se Rate	Total Parties	Total Parties without Attorney	Party Level Pro Se Rate
1	12,991	1,717	13%	28,331	16,776	59%
3	436	165	38%	928	646	70%
4	20,787	3,997	19%	45,058	27,496	61%
5	1,025	327	32%	2,209	1,449	66%
6	1,059	445	42%	2,331	1,657	71%
7	1,928	519	27%	4,199	2,702	64%
8	6,365	1,211	19%	13,801	8,376	61%
9	1,336	352	26%	2,906	1,845	63%
10	5,458	1,223	22%	12,243	7,418	61%
11	1,593	500	31%	3,457	2,294	66%
12	1,199	401	33%	2,566	1,741	68%
13	1,476	371	25%	3,197	2,054	64%
14	677	211	31%	1,460	958	66%
15	367	144	39%	799	567	71%
16	780	306	39%	1,757	1,271	72%
17	20,838	2,031	10%	46,265	26,978	58%
18	27,792	3,020	11%	60,663	35,089	58%
19	8,953	1,448	16%	19,720	11,987	61%
20	4,804	1,105	23%	10,142	6,203	61%
21	4,400	1,296	29%	9,514	6,314	66%
22	605	260	43%	1,306	937	72%
Total	124,869	21,049	17%	272,852	164,758	60%

County Court civil cases are made up primarily of collection cases (“money”). In addition, county court civil cases include eviction cases (“forcible entry and detainer”), as well as restraining order and name change cases. Parties included in this measure were plaintiffs, petitioners, defendants and respondents. While only 17% of county civil cases had no attorney, 60% of parties had no representation at the time the data was extracted. Denver County Court is not included in this report.

Pro Se Rate by Party Type - Cases Filed in FY2023

Filing Parties - Petitioner, Co-Petitioner, Plaintiff (including 3rd, 4th, 5th), Intervenors and Interpleaders

Case Class	Total Parties	Total Parties with Attorney	Total Parties without Attorney	Party Level Pro Se Rate
Domestic Relations	44,066	10,968	33,098	75%
District Civil	22,716	19,131	3,585	16%
County Civil	129,929	103,588	26,341	20%
Total	196,711	133,687	63,024	32%

Responding Parties - Defendant, Respondent (including 3rd, 4th, 5th)

Case Class	Total Parties	Total Parties with Attorney	Total Parties without Attorney	Party Level Pro Se Rate
Domestic Relations	20,031	5,138	14,893	74%
District Civil	34,470	15,203	19,267	56%
County Civil	143,047	4,508	138,539	97%
Total	197,548	24,849	172,699	87%

What these two tables demonstrate is while the total number of parties in county civil without attorneys is 60%, the total number of responding parties in the case without representation is 97%. This gives us a more accurate picture of the number of cases in which one party is represented, most often the filing party, while the other is not. At the same time, it is interesting to note in domestic relations cases, the pro se party rate is similar for both filing and responding parties.

As stated previously, the value of this analysis is in helping the courts to better anticipate and serve the needs of those seeking the services of the courts, regardless of whether they are represented by an attorney or not. For further information or questions about this data, please contact courtdatarequests@judicial.state.co.us.