

Colorado Judicial Branch

Cases and Parties without Attorney Representation in Civil Cases

Fiscal Year 2022



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Cases and Parties without Attorney Representation in Civil Cases FY2022

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 2022 (July 2021 through June 2022). 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 25, 2022.

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 2022. In fact, the cases included in this analysis (165,530) account for only 31% of the total number of cases filed in Fiscal Year 2022 (526,576). 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 FY2022

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	2,511	1,518	60%	5,141	3,586	70%
2	3,994	2,787	70%	8,297	6,524	79%
3	168	128	76%	358	299	84%
4	5,475	3,589	66%	11,123	8,238	74%
5	444	255	57%	898	609	68%
6	338	228	67%	690	520	75%
7	636	463	73%	1,330	1,065	80%
8	1,604	996	62%	3,303	2,360	71%
9	509	330	65%	1,038	766	74%
10	1,092	788	72%	2,361	1,916	81%
11	524	347	66%	1,070	797	74%
12	362	301	83%	762	675	89%
13	473	336	71%	979	774	79%
14	240	156	65%	492	361	73%
15	151	124	82%	319	284	89%
16	186	141	76%	417	358	86%
17	3,068	2,066	67%	6,334	4,840	76%
18	4,933	2,942	60%	10,002	6,854	69%
19	1,948	1,252	64%	4,080	3,002	74%
20	1,294	819	63%	2,615	1,843	70%
21	1,033	663	64%	2,221	1,685	76%
22	174	126	72%	355	285	80%
Total	31,157	20,355	65%	64,185	47,641	74%

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, 65% of the domestic relations cases filed in fiscal year 2022 had no attorney on the case, meaning that every party involved was pro se. However, within that group of cases filed, there were 64,185 parties and of those parties, 74% 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 FY2022

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	1,473	155	11%	4,356	1,578	36%
2	4,238	528	12%	12,643	4,415	35%
3	101	15	15%	306	126	41%
4	2,308	276	12%	6,494	2,442	38%
5	395	22	6%	1,817	993	55%
6	229	31	14%	842	396	47%
7	294	36	12%	1,044	420	40%
8	891	81	9%	2,707	930	34%
9	299	19	6%	937	314	34%
10	466	40	9%	1,479	549	37%
11	391	63	16%	1,269	595	47%
12	162	23	14%	571	283	50%
13	223	54	24%	660	315	48%
14	207	13	6%	770	307	40%
15	56	15	27%	140	62	44%
16	130	36	28%	390	200	51%
17	1,810	124	7%	5,091	1,682	33%
18	3,377	308	9%	10,054	3,617	36%
19	756	57	8%	2,354	833	35%
20	967	94	10%	2,946	1,041	35%
21	359	54	15%	1,005	457	45%
22	89	8	9%	281	88	31%
Total	19,221	2,052	11%	58,156	21,643	37%

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 11% of cases no party has an attorney. More dramatically, the table shows that of the 58,156 parties involved in these cases, 37% were not represented when the data was extracted.

County Civil Cases Filed in FY2022

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	12,189	1,533	13%	26,482	15,465	58%
3	408	175	43%	876	629	72%
4	19,291	3,650	19%	41,807	25,490	61%
5	971	293	30%	2,136	1,394	65%
6	1,039	400	38%	2,263	1,572	69%
7	1,809	498	28%	3,975	2,564	65%
8	5,763	905	16%	12,364	7,277	59%
9	1,302	257	20%	2,865	1,687	59%
10	4,918	1,161	24%	10,902	6,782	62%
11	1,400	456	33%	2,994	1,983	66%
12	1,181	359	30%	2,534	1,681	66%
13	1,334	390	29%	2,922	1,919	66%
14	550	140	25%	1,174	723	62%
15	364	156	43%	783	561	72%
16	689	254	37%	1,550	1,091	70%
17	19,728	2,303	12%	43,838	25,909	59%
18	24,590	2,715	11%	53,165	30,513	57%
19	8,693	1,252	14%	19,141	11,509	60%
20	4,396	1,029	23%	9,244	5,645	61%
21	3,994	1,286	32%	8,541	5,718	67%
22	542	223	41%	1,157	815	70%
Total	115,151	19,435	17%	250,713	150,927	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 FY2022

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	44,027	11,393	32,634	74%
District Civil	22,712	19,510	3,202	14%
County Civil	120,070	95,491	24,579	20%
Total	186,809	126,394	60,415	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	20,724	5,594	15,130	73%
District Civil	35,474	17,005	18,469	52%
County Civil	130,756	4,301	126,455	97%
Total	186,954	26,900	160,054	86%

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.