

SMALL CLAIMS

FOR: ENFORCING A DEBT
RECOVER MONEY
REPLEVIN (RECOVER PROPERTY)
ENFORCE RESTRICTIVE COVENANT

NOT: EVICTIONS
CLASS ACTION SUITS
TORTS (LIKE DEFAMATION, NEGLIGENCE)
PROBATE MATTERS
MENTAL HEALTH ISSUES
FAMILY LAW (DIVORCE, CUSTODY)
JUVENILE LAW
DISPUTES AFFECTING
REAL ESTATE BOUNDARIES

- LESS THAN \$7,500
- ❖ NO JURY TRIALS
- ❖ USUALLY NO LAWYERS,
BUT THERE ARE EXCEPTIONS

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FILE THE COMPLAINT

- Notice, Claim & Summons [jdf 250](#)
- Small Claims Instructions [jdf-248](#)

When you File:

CLERK ISSUES DATE, TIME & PLACE OF TRIAL
Written on the front of the Notice & Summons when you file

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SERVE THE NOTICE & SUMMONS

- Defendant's Copy of the Notice & Summons
(Separate copy served on each Defendant)
- Service may be accomplished either one of two ways:
 - Personal Service**
(Sheriff, Process Server or uninvolved 3rd party over 18)
 - Keep a copy of Affidavit of Service for your records
 - Bring a copy of Affidavit of Service to Court
 - Certified Mail by the Court** (cost varies; \$5 - \$15)
 - You have to ask for this if you want it

SERVICE MUST BE MADE AT LEAST 15 DAYS BEFORE TRIAL

AFFIDAVIT OF SERVICE is PAGE 7 of [jdf 250](#)

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>> COURT MAY ORDER MEDIATION <<

MEDIATION

Neutral 3rd party meets with the parties to negotiate a mutually acceptable agreement

Stipulation [jdf 75](#) CASE DISMISSED

Partial Agreement [jdf 75](#) + GO TO TRIAL on remaining issues

No Agreement GO TO TRIAL on all issues

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COURT APPEARANCE

TRIAL

PREPARING FOR TRIAL

- Witnesses (Notify each witness of date & time & place)
- Subpoena to Appear or Subpoena to Produce [jdf 254](#)
- Organize & Label your Exhibit Books
- Pattern Interrogatories Under CRCP 369(g) Individual [jdf-105/Form 7](#)
- Pattern Interrogatories under CRCP 369(g) Business [jdf-108/Form 7a](#)
- Motion for Entry of Judgment [jdf-107](#)
- Motion & Order for Interrogatories [jdf 252 a](#) [jdf252 b](#)
- Notice of Non-Compliance and Order [jdf 249](#)
- Instructions for Collecting on a Judgment & Writ of Garnishment [jdf 82](#)

JUDGE ISSUES FINDINGS & ORDERS

JUDGMENT

- Motion & Order for Interrogatories [jdf 252 a](#) [jdf252 b](#)
- Instructions for Collecting on a Judgment & Completing a Writ of Garnishment [jdf 82](#)