



What is a Small Claims Court?

Small Claims court is a special court where disputes are resolved quickly and inexpensively. The person who sues is the plaintiff. The person who is being sued is the defendant. In small claims court, you may ask a lawyer for advice before you go to court, but you cannot have a lawyer at court. This is between you the plaintiff against the defendant. Your claim cannot exceed \$10,000. If you have a claim for more than that amount, you may sue in the civil division of the trial court.

Basic Process & Procedures

1. Fill out your court forms

- You may file your case at the court nearest to where the contract was signed, the person you are suing lives, or the business is located. You can also file where the damage or injury occurred. [Click here](#) to find the right court location to file your case.
- You start your case by filling out an [SC-100 Plaintiff's Claim form](#) and filing it with the court clerk. Be sure you name the Defendant correctly or you may not be able to collect your judgment.
- Here is a link that will help guide you to fill out your forms [Fill Out Your Court Forms - small claims selfhelp \(ca.gov\)](#)

2. Pay Filing Fees

- \$30 for a claim up to \$1,500
- \$50 for a claim of \$1,500.01 to \$5,000
- \$75 for a claim of \$5,000.01 to \$10,000
- If you cannot afford to pay the court fees, you may file a Request to Waive Court Fees form with the Clerk's office. You must include personal financial information for the court to consider your request.

3. Serve the person you are suing

- After filing your case, a copy of your Plaintiff's Claim or Defendant's Claim must be delivered to the person or business you are suing. Each person named must be served a copy of the claim.
- There are 3 ways to serve the claim:
 - i. Have the Sheriff in the courthouse closest to where the Defendant lives or works serve your claim. If the Defendant lives in another County you must contact that County's Sheriff

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Civil Process Unit to determine what their process is to serve court papers. The Fee is \$40

- ii. Hire a Registered Process Server. You can find one at www.napps.com
- iii. You can have a friend or family member over the age of 18, and not a witness or involved in the case serve the papers for you.

4. The Small Claims Hearing

- Most small claims cases last only 15 to 20 minutes. For this reason, you want to organize your evidence ahead of time and make brief notes of what you want to say in court.
- All evidence must be submitted to the court and a copy needs to be mailed to the other parties at least 10 days prior to the hearing.
- You must complete and file this form [LASC CIV 278](#) and use [LASC CIV 279](#) mailing labels. You will have to provide proof the other parties were sent copies of your evidence and you get this from the Post Office at the time you mail these forms.
- If you have documents, bring the original and two photocopies. You will keep the original and give one copy to the Judge and the other to the Defendant.

Here are some links to get a better understanding:

[Department of LA County Department of Consumer and Business Affairs](#)

- [DCBA Small Claims \(main site\)](#)
 - [How to Sue in Small Claims Court](#)
 - [Small Claims \(Video Playlist\)](#)

[Department of LA County Department of Consumer and Business Affairs](#)

- [Small Claims - small_claims_selfhelp \(ca.gov\)](#)



