

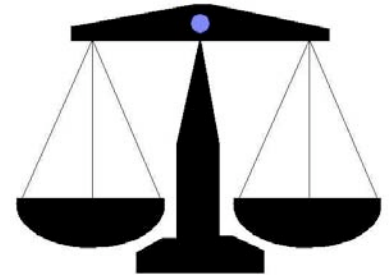


Small Claims Court

Do you need help settling a dispute? Are you curious about Small Claims Court?

What is it?

According to the Washington State Attorney General, Small Claims Court allows a person to settle a legal dispute that involves \$4000 or less without hiring an attorney. This court only considers money-related cases in which one party owes a fixed sum to the other. Small Claims Court action must be initiated within three years of the disputed transaction.



Getting Started

To start a case in Small Claims Court, the plaintiff must file a claim that states the following:

- Where the defendant lives
- Where the defendant conducts business
- Details concerning the incident and where it took place

The first step in filing a claim is to contact the District Court in your area. Simply tell the clerk that you want to start a small claims action. The clerk will give you several forms to fill out. You will also receive information about the Small Claims Court process. The first court form is called a "Notice of Small Claims." You will describe your claim and provide the defendant's correct name, address, and phone number. Once you submit this form, you will have to pay a \$10 to \$25 filing fee and submit copies of all documents. A "Notice of Small Claims" must then be delivered or served to the defendant. This notice instructs him/her to appear in court. If you win the case, charges will be awarded to you.

Counterclaims

The defendant could file a counterclaim against you. An example of a counterclaim would be if a carpet cleaner ruined your carpet, and you filed a claim in Small Claims Court without paying the bill, the company can file a counterclaim against you for the cost of cleaning. If the judge decided in favor of the company, you would be required to pay for the cleaning and the court costs.

The Court Proceeding

The next step is a court proceeding. Make sure your presentation is prepared, complete, and brief. Remember to remain calm and professional and bring all relevant documents with you. At the end of the trial, the judge will issue a decision. If the decision is in favor of the plaintiff, the court will then order the defendant to pay a certain amount of money. If it is in favor of the defendant, the case will be dismissed. If it is in favor of the counterclaim, the plaintiff may be ordered to pay a judgment, or the judge may dismiss it as well.

Remember, if you have a small issue that you haven't been able to resolve out of court, the small claims court can be a relatively easy and expedient way to solve your problems.

Source: Teen Consumer Scrapbook. (n.d.). Small claims court. Washington State Attorney General's Office. Retrieved December 14, 2005 from <http://www.atg.wa.gov>

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