

Small Claims Forms Adopted, Approved, and Revised Effective July 1, 2010

Form No.	Form Name	Comment
*SC-100-INFO	Information for the Small Claims Plaintiff	*PROPOSED renumbering of current form SC-150; on Judicial Council's April 23, 2010 agenda
SC-112A	Proof of Service by Mail (Small Claims)	New
SC-113A	Clerk's Certificate of Mailing	New
SC-130*	Notice of Entry of Judgment (Small Claims)	Revised to be "Alternative Mandatory" form (alternative to form SC-200)
SC-132*	Attorney-Client Fee Dispute (Attachment to Notice of Entry of Judgment) (Small Claims)	Revised
SC-150	Request to Postpone Trial (Small Claims)	Replaces form SC-110, Request to Postpone Small Claims Hearing
SC-152	Order on Request to Postpone Trial (Small Claims)	Replaces form SC-111, <i>Order on Request to Postpone Small Claims Hearings</i>
SC-200*	Notice of Entry of Judgment (Small Claims)	New Alternative Mandatory form (alternative to form SC-130)
SC-200-INFO	What to Do After the Court Decides Your Small Claims Case (Small Claims)	New
SC-202A*	Decision on Attorney-Client Fee Dispute (Small Claims)	Replaces form SC-132, <i>Attorney-Client Fee Dispute (Attachment to Notice of Entry of Judgment)</i>
SC-220	Request to Make Payments (Small Claims)	Replaces form SC-106, <i>Request to Pay Judgment in Installments</i>
SC-220-INFO	Payments in Small Claims Cases (Small Claims)	New
SC-221	Response to Request to Make Payments (Small Claims)	New
SC-222	Order on Request to Make Payments (Small Claims)	New
SC-290	Acknowledgment of Satisfaction of Judgment	New

INFORMATION FOR THE SMALL CLAIMS PLAINTIFF

This information sheet is written for the person who sues in the small claims court. It explains some of the rules of and some general information about the small claims court. It may also be helpful for the person who is sued.

WHAT IS SMALL CLAIMS COURT?

Small claims court is a special court where disputes are resolved quickly and inexpensively. The rules are simple and informal. The person who sues is the **plaintiff**. The person who is 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 in court. Your claim cannot be for more than \$5,000 if you are a business or public entity or for more than \$7,500 if you are a natural person (including a sole proprietor). (*See below for an exception.) If you have a claim for more than this amount, you may sue in the civil division of the trial court or you may sue in the small claims court and give up your right to the amount over the limit. You cannot, however, file more than two cases in small claims court for more than \$2,500 each during a calendar year.

WHO CAN FILE A CLAIM?

1. You must be at least *18 years old* to file a claim. If you are not yet 18, tell the clerk. You may ask the court to appoint a **guardian ad litem**. This is a person who will act for you in the case. The guardian ad litem is usually a parent, a relative, or an adult friend.
 2. A person who sues in small claims court must first make a **demand**, if possible. This means that you have asked the defendant to pay, and the defendant has refused. If your claim is for possession of property, you must ask the defendant to give you the property.
 3. Unless you fall within two technical exceptions, you must be the **original owner** of the claim. This means that if the claim is assigned, the buyer cannot sue in the small claims court.
- You must also appear at the small claims hearing yourself unless you filed the claim for a corporation or other entity that is not a natural person.**
4. If a corporation files a claim, an employee, an officer, or a director must act on its behalf. If the claim is filed on behalf of an association or another entity that is not a natural person, a regularly employed person of the entity must act on its behalf. A person who appears on behalf of a corporation or another entity must not be employed or associated solely for the purpose of representing the corporation or other entity in the small claims court. **You must file a declaration with the court to appear in any of these instances.** (See *Authorization to Appear on Behalf of Party*, form SC-109.)

WHERE CAN YOU FILE YOUR CLAIM?

You must sue in the right court and location. This rule is called **venue**. Check the court's local rules if there is more than one court location in the county handling small claims cases.

If you file your claim in the wrong court, the court will dismiss the claim unless all defendants personally appear at the hearing and agree that the claim may be heard.

The right location may be any of these:

1. Where the defendant lives or where the business involved is located;
2. Where the damage or accident happened;
3. Where the contract was signed or carried out;
4. If the defendant is a corporation, where the contract was broken;
5. For a retail installment account or sales contract or a motor vehicle finance sale:
 - a. Where the buyer lives;
 - b. Where the buyer lived when the contract was entered into;
 - c. Where the buyer signed the contract; or
 - d. Where the goods or vehicle are permanently kept.

SOME RULES ABOUT THE DEFENDANT (including government agencies)

1. You must sue using the defendant's *exact legal name*. If the defendant is a business or a corporation and you do not know the exact legal name, check with the state or local licensing agency, the county clerk's office, or the Office of the Secretary of State, Corporate Status Unit at www.ss.ca.gov/business. Ask the clerk for help if you do not know how to find this information. If you do not use the defendant's exact legal name, the court may be able to correct the name on your claim at the hearing or after the judgment.
2. If you want to sue a government agency, you must first file a claim with the agency before you can file a lawsuit in court. Strict time limits apply. If you are in a Department of Corrections or Youth Authority facility, you must prove that the agency denied your claim. Please attach a copy of the denial to your claim.

HOW DOES THE DEFENDANT FIND OUT ABOUT THE CLAIM?

You must make sure the defendant finds out about your lawsuit. This has to be done according to the rules or your case may be dismissed or delayed. The correct way of telling the defendant about the lawsuit is called **service of process**. This means giving the defendant a copy of the claim. **YOU CANNOT DO THIS YOURSELF**. Here are four ways to serve the defendant:

1. **Service by a law officer** — You may ask the marshal or sheriff to serve the defendant. A fee will be charged.
2. **Process server** — You may ask anyone who is *not a party* in your case and who is at least *18 years old* to serve the defendant. The person is called a **process server** and must personally give a copy of your claim to the defendant. The person must also sign a proof of service form showing when the defendant was served. Registered process servers will do this for you for a fee. You may also ask a friend or relative to do it.
3. **Certified mail** — You may ask the clerk of the court to serve the defendant by certified mail. The clerk will charge a fee. You should check back with the court prior to the hearing to see if the receipt for certified mail was returned to the court. **Service by certified mail must be done by the clerk's office except in motor vehicle accident cases involving out-of-state defendants.**
4. **Substituted service** — This method lets you serve another person instead of the defendant. You must follow the procedures carefully. You may also wish to use the marshal or sheriff or a registered process server.

*Except for an action against the Registrar of the Contractors State License Board, a \$4,000 limit applies if a "defendant guarantor . . . is required to respond based upon the default, actions, or omissions of another" (\$2,500 if the defendant guarantor does not charge a fee for the service).

4. **Substituted service** (*continued*)

A copy of your claim must be left

— at the defendant's business with the person in charge;

OR

— at the defendant's home with a competent person who is at least 18 years old. The person who receives the claim must be told about its contents. Another copy must be mailed, first class postage prepaid, to the defendant at the address where the paper was left. The service is not complete until *10 days* after the copy is mailed.

No matter which method of service you choose, the defendant must be served by a certain date or the trial will be postponed. If the defendant lives in the county, service must be completed at least *15 days* before the trial date. This period is at least *20 days* if the defendant lives outside the county.

The person who serves the defendant must sign a court paper showing when the defendant was served. This paper is called a *Proof of Service* (form SC-104). It must be signed and returned to the court clerk as soon as the defendant has been served.

WHAT IF THE DEFENDANT ALSO HAS A CLAIM?

Sometimes the person who was sued (the **defendant**) will also have a claim against the person who filed the lawsuit (the **plaintiff**). This claim is called the *Defendant's Claim*. The defendant may file this claim in the same lawsuit. This helps to resolve all of the disagreements between the parties at the same time.

If the defendant decides to file the claim in the small claims court, the claim may not be for more than \$5,000 or \$7,500 if the defendant is a natural person (*see reverse). If the value of the claim is more than this amount, the defendant may either give up the amount over \$5,000 or \$7,500 and sue in the small claims court or file a motion to transfer the case to the appropriate court for the full value of the claim.

The defendant's claim must be served on the plaintiff at least *5 days* before the trial. If the defendant received the plaintiff's claim *10 days* or less before the trial, then the claim must be served at least *1 day* before the trial. Both claims will be heard by the court at the same time.

WHAT HAPPENS AT THE TRIAL?

Be sure you are on time for the trial. The small claims trial is informal. You must bring with you all witnesses, books, receipts, and other papers or things to prove your case. You may ask the witnesses to come to court voluntarily. You may also ask the clerk of the court to issue a **subpoena**. A subpoena is a court order that *requires* the witness to go to trial. The witness has a right to charge a fee for going to the trial. If you do not have the records or papers to prove your case, you may also get a court order prior to the trial date requiring the papers to be brought to the trial. This order is called a *Small Claims Subpoena and Declaration* (form SC-107).

If you settle the case before the trial, you must file a **dismissal** form with the clerk.

The court's decision is usually mailed to you after the trial. It may also be hand delivered to you when the trial is over and after the judge has made a decision. The decision appears on a form called the *Notice of Entry of Judgment* (form SC-130 or SC-200).

WHAT HAPPENS AFTER JUDGMENT?

The court may have ordered one party to pay money to the other party. The party who wins the case and collects the money is called the **judgment creditor**. The party who loses the case and owes the money is called the **judgment debtor**. Enforcement of the judgment is **postponed** until the time for appeal ends or until the appeal is decided. This means that the judgment creditor cannot collect any money or take any action until this period is over. Generally both parties may be represented by lawyers after judgment. More information about your rights after judgment is available on the back of the *Notice of Entry of Judgment* form. The clerk may also have this information on a separate sheet.

HOW TO GET HELP WITH YOUR CASE

1. **Lawyers** — Both parties may ask a lawyer about the case, but a lawyer may not represent either party in court at the small claims trial. Generally, after judgment and on appeal, both parties may be represented by lawyers.
2. **Interpreters** — If you do not speak English well, bring an adult who is not a witness to interpret for you, or ask the court clerk for an interpreter at least five days before your court date. A court-provided interpreter may not be available or there may be a fee for using a court interpreter unless you qualify for a fee waiver. You may ask the court for a list of interpreters and also the *Application for Waiver of Court Fees and Costs* (form FW-001).
3. **Waiver of fees** — The court charges fees for some of its procedures. Fees are also charged for serving the defendant with the claim. The court may excuse you from paying these fees if you cannot afford them. Ask the clerk for the *Information Sheet on Waiver of Court Fees and Costs* (form FW-001-INFO) to find out if you meet the requirements so that you do not have to pay the fees.
4. **Night and Saturday court** — If you cannot go to court during working hours, ask the clerk if the court has trials at **night** or on **Saturdays**.
5. **Parties who are in jail** — If you are in jail, the court may excuse you from going to the trial. Instead, you may ask another person who is not an attorney to go to the trial for you. You may mail written declarations to the court to support your case.
6. **Accommodations** — If you have a disability and need assistance, immediately ask the court to help accommodate your needs. If you are hearing impaired and need assistance, notify the court immediately.
7. **Forms** — You can get small claims forms and more information at the California Courts Self-Help Center Web site (www.courtinfo.ca.gov), your county law library, or the courthouse nearest you.
8. **Small claims advisors** — The law requires each county to provide assistance in small claims cases free of charge. (*Small claims advisor information*):

Case Number: _____

See instructions on other side.

This form is attached to the document checked in ② below.

① Server's information

Name: _____ Phone: _____

Street or mailing address: _____

City: _____ State: _____ Zip Code: _____

Check here if you are a registered process server, and write:

County where registered: _____ Registration #: _____

② Form or document served

a. Form SC-105, *Request for Court Order and Answer*

b. Form SC-109, *Authorization to Appear*

c. Form SC-114, *Request to Amend Claim Before Hearing*

d. Form SC-133, *Judgment Debtor's Statement of Assets*

e. Form SC-150, *Request to Postpone Trial*

f. Form SC-221, *Response to Request to Make Payments*

g. Other document allowed to be served by mail (*specify*):

Check here if there is not enough space below to list the document served. List the document on a separate page, and write "SC-112A, Item 2" at the top.

③ Server's declaration

a. I am 18 or older. I am not a party to this small claims case. I live or work in the county where I did the mailing described below.

b. I placed copies of the document checked in ② and an unsigned copy of this page in a sealed envelope, addressed as follows:

Check here if there is not enough space below to list all parties served. List their names and addresses on a separate page, and write "SC-112A, Item 3" at the top.

Name of party served	Mailing address on the envelope

c. On (*date of mailing*): _____, I placed each envelope in the mail, with postage paid, at (*city and state of mailing*): _____

I declare under penalty of perjury under the laws of the State of California that the information above is true and correct.

Date: _____

Type or print server's name

Server signs here

Instructions for Form SC-112A, *Proof of Service by Mail*

(This page is **not** part of the *Proof of Service* and does not need to be copied, served, or filed.)

Form SC-112A can be used to show the court that these documents were served by mail:

- Form SC-105, *Request for Court Order and Answer*
- Form SC-109, *Authorization to Appear*
- Form SC-114, *Request to Amend Claim Before Hearing*
- Form SC-133, *Judgment Debtor's Statement of Assets*
- Form SC-150, *Request to Postpone Trial*
- Form SC-221, *Response to Request to Make Payments*
- Other documents that are allowed to be served by mail

Form SC-112A cannot be used to prove service of these forms:

- Form SC-100, *Plaintiff's Claim and ORDER to Go to Small Claims Court*
- Form SC-120, *Defendant's Claim and ORDER to Go to Small Claims Court*

For information about serving these forms, see Form SC-104, *Proof of Service*, and Form SC-104B, *What Is "Proof of Service"?*

The server (the person who will do the mailing):

- **Must not** be a party (plaintiff or defendant) in the case
- **May** be a friend, relative, co-worker, or other helpful person
- **Must** be 18 or older
- **Must** live or work in the county where the mailing takes place

Follow these steps to use Form SC-112A:

1. Prepare Form SC-112A by filling in:

- The case number
- The document to be served, in item ②*
- The names and addresses of the parties to be served, in item ③

*Prepare a separate Form SC-112A for each document to be served.

2. Give the server:

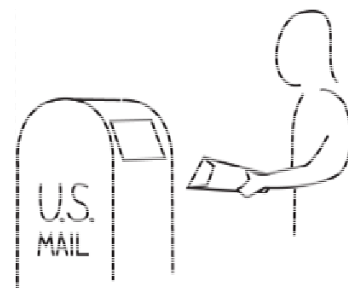
- The partially completed Form SC-112A
- One copy of the document to be served for each party to be served

3. Ask the server to:

- Fill out the remainder of the Form SC-112A.
- Mail *each party to be served*:
 - An unsigned copy of the completed Form SC-112A and
 - The document to be served (checked in Item ②).
- Sign a separate Form SC-112A for each document served, and give it to back you.

4. File these papers with the small claims court clerk:

- The original of each document served, with
- The signed, original *Proof of Service by Mail* attached



Need help?

For free help, contact your county's small claims advisor:

[local info here]

Or go to "County-Specific Court Information" at www.courtinfo.ca.gov/selfhelp/smallclaims.

This form is attached to the documents checked in ② below.

I certify that:

① I am a clerk of the Superior Court of California, County of _____, and am not a party to this case.

② I mailed copies of the document checked below:

- a. Form SC-105, *Request for Court Order and Answer*
- b. Form SC-105A, *Order on Request for Court Order*
- c. Form SC-108, *Request to Correct or Cancel Judgment and Answer*
- d. Form SC-108A, *Order on Request to Correct or Cancel Judgment*
- e. Form SC-114, *Request to Amend Claim Before Hearing*
- f. Form SC-135, *Notice of Motion to Vacate Judgment and Declaration*
- g. Form SC-140, *Notice of Appeal*
- h. Form SC-152, *Order on Request to Postpone Trial*
- i. Form SC-200, *Notice of Entry of Judgment* to all parties and a blank Form SC-133, *Judgment Debtor's Statement of Assets* to the judgment debtor only
- j. Form SC-220, *Request to Make Payments*, and a blank Form SC-221, *Response to Request to Make Payments*
- k. Form SC-221, *Response to Request to Make Payments*
- l. Form SC-222, *Order on Request to Make Payments*
- m. The documents listed on the attached page
- n. The following documents (*specify*):

③ True copies of the documents were mailed following standard court practices in a sealed envelope with postage fully prepaid, addressed (*check one*):

- a. as shown on the attached page
- b. as follows:

┌	┐	┌	┐
└	┘	└	┘
┌	┐	┌	┐
└	┘	└	┘

④ The mailing occurred at (*city*): _____, California,
on (*date of mailing*): _____.

Date: _____ Clerk, by _____, Deputy

SMALL CLAIMS CASE NO.:

<p>NOTICE TO ALL PLAINTIFFS AND DEFENDANTS: Your small claims case has been decided. If you lost the case, and the court ordered you to pay money, your wages, money, and property may be taken without further warning from the court. Read the back of this sheet for important information about your rights.</p>	<p>AVISO A TODOS LOS DEMANDANTES Y DEMANDADOS: Su caso ha sido resuelto por la corte para reclarnos judiciales menores. Si la corte ha decidido en su contra y ha ordenado que usted pague dinero, le pueden quitar su salario, su dinero, y otras cosas de su propiedad, sin aviso adicional por parte de esta corte. Lea el reverso de este formulario para obtener informacion de importancia acerca de sus derechos.</p>
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PLAINTIFF/DEMANDANTE (Name, street address, and telephone number of each):

DEFENDANT/DEMANDADO *(Name, street address, and telephone number of each):

Telephone No.: _____

Telephone No.: _____

Telephone No.: _____

Telephone No.: _____

See attached sheet for additional plaintiffs and defendants.

NOTICE OF ENTRY OF JUDGMENT

Judgment was entered as checked below on (date):

1. Defendant (name, if more than one):
 shall pay plaintiff (name, if more than one):
 \$ _____ principal and \$ _____ costs on plaintiffs claim.
2. Defendant does not owe plaintiff any money on plaintiff's claim.
3. Plaintiff (name, if more than one):
 shall pay defendant (name, if more than one):
 \$ _____ principal and \$ _____ costs on defendant's claim.
4. Plaintiff does not owe defendant any money on defendants claim.
5. Possession of the following property is awarded to plaintiff (describe property):

6. Payments are to be made at the rate of: \$ _____ per (specify period): _____, beginning on (date): _____ and on the (specify day): _____ day of each month thereafter until paid in full. If any payment is missed, the entire balance may become due immediately.
7. Dismissed in court with prejudice. without prejudice.
8. Attorney-Client Fee Dispute (Attachment to Notice of Entry of Judgment) (form SC-132) is attached.
9. Other (specify):

10. This judgment results from a motor vehicle accident on a California highway and was caused by the judgment debtor's operation of a motor vehicle. If the judgment is not paid, the judgment creditor may apply to have the judgment debtor's drivers license suspended.
11. Enforcement of the judgment is automatically postponed for 30 days or, if an appeal is filed, until the appeal is decided.
12. This notice was personally delivered to (insert name and date):
13. CLERK'S CERTIFICATE OF MAILING—I certify that I am not a party to this action. This Notice of Entry of Judgment was mailed first class, postage prepaid, in a sealed envelope to the parties at the addresses shown above. The mailing and this certification occurred at the place and on the date shown below.

Place of mailing: _____, California

Date of mailing:

Clerk, by _____, Deputy

The county provides small claims advisor services free of charge. Read the information sheet on the reverse.

INFORMATION AFTER JUDGMENT	INFORMACION DESPUES DEL FALLO DE LA CORTE
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Your small claims case has been decided. The **judgment** or decision of the court appears on the front of this sheet. The court may have ordered one party to pay money to the other party. The person (or business) who won the case and who can collect the money is called the **judgment creditor**. The person (or business) who lost the case and who owes the money is called the **judgment debtor**.

Enforcement of the judgment is postponed until the time for appeal ends or until the appeal is decided. This means that the judgment creditor cannot collect any money or take any action until this period is over. Generally, both parties may be represented by lawyers after judgment.

IF YOU LOST THE CASE . . .

1. If you lost the case on your own claim and the court did not award you any money, the court's decision on your claim is **FINAL**. You may not appeal your own claim.
2. If you lost the case and the court ordered you to pay money, your money and property may be taken to pay the claim unless you do one of the following things:

a. PAY THE JUDGMENT

The law requires you to pay the amount of the judgment. You may pay the judgment creditor directly, or pay the judgment to the court for an additional fee. You may also ask the court to order monthly payments you can afford. Ask the clerk for information about these procedures.

b. APPEAL

If you disagree with the court's decision, you may appeal the decision *on the other party's claim*. You may not appeal the decision on your own claim. However, if any party appeals, there will be a new trial on *all* the claims. If you appeared at the trial, you *must* begin your appeal by filing a form called a *Notice of Appeal* (form SC-140) and pay the required fees within 30 days after the date this *Notice of Entry of Judgment* was mailed or handed to you. Your appeal will be in the superior court. You will have a **new trial** and you must present your evidence again. You may be represented by a lawyer.

c. VACATE OR CANCEL THE JUDGMENT

If you did not go to the trial, you may ask the court to vacate or cancel the judgment. To make this request, you must file a *Motion to Vacate the Judgment* (form SC-135) and pay the required fee *within 30 days* after the date this *Notice of Entry of Judgment* was mailed. If your request is denied, you then have 10 days from the date the notice of denial was mailed to file an appeal. The period to file the *Motion to Vacate the Judgment is 180 days* if you were *not properly served* with the claim. The 180-day period begins on the date you found out or should have found out about the judgment against you.

IF YOU WON THE CASE . . .

1. If you were sued by the other party and you won the case, then the other party may not appeal the court's decision.
2. If you won the case and the court awarded you money, here are some steps you may take to collect your money or get possession of your property:

a. COLLECTING FEES AND INTEREST

Sometimes fees are charged for filing court papers or for serving the judgment debtor. These extra costs can become part of your original judgment. To claim these fees, ask the clerk for a *Memorandum of Costs*.

b. VOLUNTARY PAYMENT

Ask the judgment debtor to pay the money. If your claim was for possession of property, ask the judgment debtor to return the property to you. **THE COURT WILL NOT COLLECT THE MONEY OR ENFORCE THE JUDGMENT FOR YOU.**

c. STATEMENT OF ASSETS

If the judgment debtor does not pay the money, the law requires the debtor to fill out a form called the *Judgment Debtor's Statement of Assets* (form SC-133). This form will tell you what property the judgment debtor has that may be available to pay your claim. If the judgment debtor willfully fails to send you the completed form, you may file an *Application and Order to Produce Statement of Assets and to Appear for Examination* (form SC-134) and ask the court to give you your attorney's fees and expenses and other appropriate relief, after proper notice, under Code of Civil Procedure section 708.170.

d. ORDER OF EXAMINATION

You may also make the debtor come to court to answer questions about income and property. To do this, ask the clerk for an *Application and Order for Appearance and Examination (Enforcement of Judgment)* (form EJ-125) and pay the required fee. There is a fee if a law officer serves the order on the judgment debtor. You may also obtain the judgment debtors financial records. Ask the clerk for the *Small Claims Subpoena and Declaration* (form SC-107) or *Civil Subpoena Duces Tecum* (form SUBP-002).

e. WRIT OF EXECUTION

After you find out about the judgment debtor's property, you may ask the court for a *Writ of Execution* (form EJ-1 30) and pay the required fee. A writ of execution is a court paper that tells a law officer to take property of the judgment debtor to pay your claim. Here are some examples of the kinds of property the officer may be able to take: **wages, bank account, automobile, business property, or rental income.** For some kinds of property, you may need to file other forms. See the law officer for information.

f. ABSTRACT OF JUDGMENT

The judgment debtor may own land or a house or other buildings. You may want to put a lien on the property so that you will be paid if the property is sold. You can get a lien by filing an *Abstract of Judgment* (form EJ-001) with the county recorder in the county where the property is located. The recorder will charge a fee for the *Abstract of Judgment*

NOTICE TO THE PARTY WHO WON: As soon as you have been paid in full, you *must* fill out the form below and mail it to the court *immediately* or you may be fined. If an *Abstract of Judgment* has been recorded, you must use another form; see the clerk for the proper form.

SMALL CLAIMS CASE NO.:

ACKNOWLEDGMENT OF SATISFACTION OF JUDGMENT (*Do not use this form if an Abstract of Judgment has been recorded.*)

To the Clerk of the Court:

I am the judgment creditor assignee of record.

I agree that the judgment in this action has been paid in full or otherwise satisfied.

Date:

(TYPE OR PRINT NAME)

(SIGNATURE)

Name and Address of Court:

SMALL CLAIMS CASE NO.:

ATTORNEY-CLIENT FEE DISPUTE (ATTACHMENT TO NOTICE OF ENTRY OF JUDGMENT)
(Attach to Notice of Entry of judgment)

- 1. **Trial after arbitration.** A trial after arbitration of an attorney- client fee dispute
 - a. is denied because
 - (1) The arbitration award is binding.
 - (2) Plaintiff willfully failed to appear at the arbitration hearing.
 - b. is granted, and a trial
 - (1) was held on *(date)*:
 - (2) will be held on *(date)*:

- 2. **Correction of award.** The arbitration award is
 - a. corrected as follows *(specify)*:

b. and in all other respects the award is confirmed as indicated below in item 4b.

- 3. **Vacation of award.** The arbitration award is vacated ("canceled").
 - a. A new arbitration hearing is ordered before
 - (1) new arbitrators. *(See Code of Civil Procedure section 1287.)*
 - (2) the original arbitrators. *(See Code of Civil Procedure section 1287.)*
 The attorney and client are both ordered to appear at the new arbitration hearing.

b. No new arbitration hearing is ordered.

- 4. **Confirmation of award.** The arbitration award is
 - a. not confirmed.
 - (1) The award is vacated under item 3 above.
 - (2) The case is dismissed. *(See Code of Civil Procedure section 1287.2)*
 - b. confirmed
 - (1) As made by the arbitrators. *(A copy of the award is attached.)*
 - (2) As corrected in item 2 above. *(A copy of the award is attached.)*

5. Payment.

- a. The plaintiff defendant shall pay to plaintiff defendant
 - (1) disputed fees and costs of: \$
 - (2) costs of this proceeding of: \$
- b. Neither the plaintiff nor the defendant shall pay the other anything.

-The county provides small claims advisor services free of charge.-

SC-150

Request to Postpone Trial

Clerk stamps here when form is filed.

See instructions on other side.

① My name is: _____

Mailing address: _____

Phone: _____

I am a (*check one*): plaintiff defendant in this case.

② My trial is now scheduled for (*date*): _____

③ I ask the court to postpone my trial until (*approximate date*):

④ I am asking for this postponement because (*explain*):

If your answer will not fit in the space below, check this box and attach your answer on a separate sheet of paper. Write "SC-150, Item 4" at the top.

⑤ If your trial is scheduled within the next 10 days, explain why you did not ask for a postponement sooner.

If your answer will not fit in the space below, check this box and attach your answer on a separate sheet of paper. Write "SC-150, Item 5" at the top.

⑥ **Has your claim been served by a method allowed by law?** (See form SC-104B, What Is "Proof of Service"?, for information about how the claim can be served. Check and complete all that apply):

If your answer will not fit in the space below, check this box and attach your answer on a separate sheet of paper. Write "SC-150, Item 6" at the top.

a. No. I am a defendant and have not filed a claim in this case.

b. Yes. The parties listed below have been served:

(1) _____, who lives in: _____, was served on: _____
name county date

(2) _____, who lives in: _____, was served on: _____
name county date

c. No. The parties listed below have not been served (*list names*):

(1) _____ (2) _____

d. I do not know. The court clerk mailed my claim, and I do not know if the court received the signed receipt for these parties (*list names*):

(1) _____ (2) _____

I declare under penalty of perjury under the laws of the State of California that the information above is true and correct.

Date: _____

Type or print your name

▶ _____
Sign here

Instructions for Form SC-150, *Request to Postpone Trial*

(This page is **not** part of Form SC-150 and does not need to be copied, served, or filed.)

Who can use this form?

- Anyone who filed a small claims case and wants to postpone or reschedule the trial for any good reason, including because he or she has not served all of the defendants
- Anyone who was sued in a small claims case and wants to postpone or reschedule the trial for any good reason

Do I have to use this form?

No. You may write a letter instead of using this form. Your letter should explain why you want to change your court date and include the other information that is requested on this form.

How do I ask for a postponement?

- Fill out Form SC-150, *Request to Postpone Trial*, (on the other side of these instructions), or write a letter that includes the information requested on this form.
- Have all other parties in your case served with a copy of your request. You may serve by mail or in person. Use Form SC-104, *Proof of Service*, or Form SC-112A, *Proof of Service by Mail*.
- File your request and the completed *Proof of Service* with the small claims court clerk. You may have to pay a \$10 fee, depending on when (or if) the claim was served. If you cannot afford to pay a required fee, see Form FW-001-INFO, *Information Sheet on Waiver of Superior Court Fees and Costs*.

How will I know the court's decision?

If the court postpones the trial, the court will mail a notice with the new hearing date to all plaintiffs and defendants in this case.

If the court does not postpone the trial, the trial will be on the date when it is currently scheduled. The court will notify the person who filed the *Request*.

If you do not hear from the court, you should go to court on the scheduled trial date.



Need help?

For free help, contact your county's small claims advisor:
[local info here]

Or go to "County-Specific court Information" at www.courtinfo.ca.gov/selfhelp/smallclaims

Clerk stamps here when form is filed.

On (date): _____ (name): _____
 filed a request to postpone the trial in this case.

The court orders:

① **The Request to Postpone Trial is approved, and the court orders** the trial is postponed as indicated in ③.

② **The Request to Postpone Trial is denied because:**

- a. The Request did not include a good reason for the postponement.
- b. The Request was not filed at least 10 days before the hearing and did not include a good reason for the late request.
- c. The required \$10 filing fee was not paid.
- d. Other: _____

Continued on Attachment SC-152, item 2(d).

Fill in the court name and street address:

Superior Court of California, County of

Fill in your case number and case name:

Case Number:

Case Name:

③ **The trial will be held as follows:**

Trial Date →

_____ Time: _____ Dept. _____

Name and address of court if different than address above:



Request for Accommodations Assistive listening systems, computer-assisted real-time captioning, or sign language interpreter services are available if you ask at least five days before the trial. Contact the clerk's office for *Request for Accommodations by Persons With Disabilities and Response* (Form MC-410). (Civil Code, § 54.8)

④ **The clerk will mail a copy of this order to:**

- a. The person who asked for the postponement.
- b. All plaintiffs and defendants at the addresses listed in the court's records.

Date: _____

Judicial officer



Need help?

For free help, contact your county's small claims advisor:

[local info here]

Or go to "County-Specific Court Information" at www.courtinfo.ca.gov/selfhelp/smallclaims

This form tells you the court's decision (judgment) in this small claims case. The date the small claims clerk handed or mailed you this form is very important. That date sets the deadline for the parties to take legal steps to protect or enforce their rights.

If the court ordered you to pay money, your wages, money, or property can be taken, if you do not pay the judgment within 30 days. You may also have to pay interest. If the court decided that you owe money because of an auto accident, the Department of Motor Vehicles (DMV) can suspend your driver's license.

If you disagree with the judgment, you may have the right to appeal or to ask the court to cancel or correct the judgment. To protect these rights, you must file papers with the court within 30 days after this notice was mailed or handed to you.

Read pages 3 and 4. They explain your rights and responsibilities, whether you won or lost the case.

① The judgment (decision) in this small claims case was entered on (date): _____

② The judgment cannot be enforced until after the 30-day right to appeal or file a motion to vacate (cancel) or correct the judgment has ended. If an appeal or a motion to cancel or correct the judgment is properly filed, the judgment cannot be enforced until the appeal or motion is decided.

③ **Judgment on the Plaintiff's Claim**

Plaintiff's name, if more than one: _____

Defendant's name, if more than one: _____

a. The plaintiff's claim against (check one): all parties (name): _____ is dismissed and
 (1) may not be filed again. (The claim is dismissed with prejudice.)
 (2) may be filed again, if filed by the legal deadline. (The claim is dismissed without prejudice.)

b. The defendant (name): _____ does not have to pay the plaintiff anything.

c. The defendant (name): _____ must pay the plaintiff (name): _____
 (total amount): \$ _____, which includes:

principal: \$ _____ + interest: \$ _____ + court costs: \$ _____ - offset \$ _____

Reason for offset, if any: _____

d. More than one person owes money on this claim. The liability of each person is:

(1) Joint and several. (The judgment creditor may collect the entire judgment from any judgment debtor.)

(2) Other (specify): _____

e. The defendant (name): _____ must give the plaintiff (name): _____
 (specify property): _____ by (date): _____

The property is specified on Attachment 3e.

④ **Judgment on the Defendant's Claim**

Defendant's name, if more than one: _____

Plaintiff's name, if more than one: _____

Fill in the court name and street address:

Superior Court of California, County of

Fill in your case number and case name:

Case Number:

Case Name:



Case name: _____

Case Number: _____

- a. The defendant's claim against (*check one*): all parties (*name*): _____ is dismissed and
 - (1) may not be filed again. (The claim is dismissed with prejudice.)
 - (2) may be filed again, if filed by the legal deadline. (The claim is dismissed without prejudice.)
- b. The plaintiff (*name*): _____ does not owe any money on this claim.
- c. The plaintiff (*name*): _____ must pay the defendant (*name*): _____
 (*total amount*): \$ _____, which includes:
 principal: \$ _____ + interest: \$ _____ + court costs: \$ _____ - offset \$ _____
Reason for offset, if any: _____
- d. More than one person owes money on this claim. The liability of each person is:
 - (1) Joint and several. (The judgment creditor may collect the entire judgment from any judgment debtor.)
 - (2) Other (*specify*): _____
- e. The plaintiff (*name*): _____ must give the defendant (*name*): _____
 (*specify property*): _____ by (*date*): _____
 The property is specified on Attachment 4e.

- ⑤ **Payments** (*Name*): _____
 may pay the judgment to (*name*): _____ as follows:
 - a. Payments of \$ _____ on the _____ day of each (*month, week, other*) _____, starting (*date*): _____ and a final payment of: \$ _____ on (*date*): _____
 - b. Other payment schedule (*specify*): _____
 - c. The total amount of payments is \$ _____, which includes interest on the unpaid balance of the judgment. The actual amount of that interest may be different if payments are made late or early.
 - d. The total amount of the payments is the same as the judgment. If all payments are made in full and on time, no interest will be owed on the judgment and the judgment will have been paid in full.
 - e. If any payment is not made in full and on time, the judgment creditor may notify the court to cancel the payment plan, and the entire unpaid balance will become due and collectible.

Other Orders

- ⑥ Decisions on other claims or parties are stated in Attachment 6.
- ⑦ After offsetting the judgments on the claims, (*name*): _____
 owes (*name*): _____ \$ _____
- ⑧ This judgment against (*name*): _____
 is for damage or injury because of an automobile vehicle accident on a California highway caused by the judgment debtor or by another party for whose conduct the judgment debtor is liable (other than liability because the party signed a minor's driver's license application).
- ⑨ The court finds that the defendant's rights under the Servicemembers Civil Relief Act were not prejudiced by the entering of a judgment against the defendant because the defendant was not a servicemember or had notice and was available to defend this action.
- ⑩ Form SC-202A, *Decision on Attorney-Client Fee Dispute*, is attached.
- ⑪ Other (*specify*): _____
 Continued on Attachment 11.

Date: _____

Clerk, by _____, Deputy



What to Do After the Court Decides Your Small Claims Case

First, read the court's decisions on pages 1 and 2. They will tell you the court's judgment in this case. **Then read this form.** It will help you protect or enforce your rights, whether you won or lost the case.

Warning! You may lose important rights if you do not act within 30 days after the court handed or mailed you this *Notice of Entry of Judgment*. If the court mailed the *Notice of Entry of Judgment*, the date of mailing is on the *Clerk's Certificate of Mailing* that came with the notice.

If the court did not award you any money on a claim that you filed... The court's decision on your claim is *normally* final. You cannot appeal the decision on your own claim, but you may be allowed to ask the court to correct a mistake in the judgment.

If the court ordered you to pay money...

You are the *judgment debtor*. The law requires you to pay the judgment. You **can**:

- Pay the judgment creditor directly.
- Pay the court. (To do this, file Form SC-145, *Request to Pay Judgment to Court*.) Or
- Ask the court to let you make payments. (To do this, file Form SC-220, *Request to Make Payments*.)

If any payment is not made in full and on time, the judgment creditor may notify the court to cancel the payment plan and the entire unpaid balance will become due and collectible.

Warning! If you do not pay the judgment or file an appeal or a motion to vacate (cancel) or correct the judgment **within 30 days** after the *Notice of Entry of Judgment* was handed or mailed to you, your wages, money, and property can be taken to pay the claim. You may also have to pay interest. If your case involves an auto accident on a California highway, the Department of Motor Vehicles (DMV) can suspend your driver's license.

After you pay the judgment in full, you can ask the judgment creditor to file a form saying the judgment is paid. (See Form SC-290, *Acknowledgment of Satisfaction of Judgment*.) If the judgment creditor does not do this, he or she may have to pay you damages and a penalty.

If you disagree with the judgment ordering you to pay money and you went to your small claims trial, you can appeal that decision. (You cannot appeal the decision on your own claim.) To do this, file Form SC-140, *Notice of Appeal*, within 30 days after the *Notice of Entry of Judgment* was handed or mailed to you. There will be a new trial in the superior court on all claims in the case. Each side will present evidence again. This time, each side can have a lawyer at the trial.

(Continued on page 4)

If the court ordered the other side to pay you...

You are the *judgment creditor*. **You** must collect your judgment. The court will not collect it for you. Some steps you can take to collect your money are summarized below. For more information, go to www.courtinfo.ca.gov/selfhelp/smallclaims/collectintro.htm.

Important! The judgment debtor has **30 days** after the *Notice of Entry of Judgment* was handed or mailed to him or her to appeal or pay or ask the court to cancel or correct the judgment. You cannot take legal steps to collect the judgment during this time.

Ask the judgment debtor to pay you the money. If the judgment debtor cannot afford to pay the judgment all at once, consider offering to take payments. If your claim was for possession of property, ask the judgment debtor to return the property to you.

If the judgment debtor does not pay, you can find out about the debtor's income or property that the sheriff can take to satisfy the judgment.

- If the debtor does not pay within 30 days after the court clerk delivered or mailed the *Notice of Entry of Judgment*, the debtor must send you Form SC-133, *Judgment Debtor's Statement of Assets*. This form will tell you what property the debtor has that may be used to pay the judgment.
- **If the debtor does not send you the completed Form SC-133**, you can file Form SC-134, *Application and Order to Produce Statement of Assets and to Appear for Examination*. In this form, you can also ask the court to award you your attorney fees, expenses, and other appropriate relief.
- **If the debtor does send you Form SC-133, you can still have the debtor come to court to answer questions** about income and property. To do this, file Form EJ-125, *Application and Order for Appearance and Examination*.

(Continued on page 4)



If the court ordered you to pay money...

(continued)

If you disagree with the judgment ordering you to pay money, and you did not go to your trial, you can ask the court to vacate (cancel) the judgment. To do this, file Form SC-135, *Notice of Motion to Vacate Judgment and Declaration*, within 30 days* after the *Notice of Entry of Judgment* was handed or mailed to you. If the court denies your request, you have until 10 days from the date the notice of denial is mailed to file an appeal.

Exception:* If the claim against you was not properly served, you have **180 days from the date that you found out (or should have found out) about the judgment against you to file a request to cancel the judgment.

Unless you pay the judgment or file an appeal or a motion as discussed above, you must complete Form SC-133, *Judgment Debtor's Statement of Assets*, and deliver it to the judgment creditor within 30 days after the clerk delivered or mailed the *Notice of Entry of Judgment*.

Warning! If you do not deliver the completed Form SC-133, the court can order you to pay attorney fees and impose other penalties.

If the court ordered the other side to pay you...

(continued)

- To obtain the judgment debtor's financial records from another person or a company at a hearing, fill out Form SC-107, *Small Claims Subpoena and Declaration*, take it to the small claims court clerk to be issued, and then have it served.

Once you know about the judgment debtor's income and property, you can ask the sheriff to take that property to pay you. (Property that may be taken includes wages, bank accounts, automobiles, business property, and rental income.) To do this, fill out and ask the court clerk to issue Form EJ-130, *Writ of Execution*. Then, take the form to the sheriff's office with a description of the debtor's property.

You can also put a lien on the judgment debtor's house or other real estate. To do this, fill out and ask the court clerk to issue Form EJ-001, *Abstract of Judgment—Civil and Small Claims*. Then, take or mail the *Abstract* to the county recorder's office in the county where you think the debtor owns real property. If the judgment debtor sells, refinances, or buys real property in that county, your judgment should be paid from the debtor's funds.

After the judgment has been paid in full, you must fill out an *Acknowledgment of Satisfaction of Judgment* and file it with the court clerk. If an *Abstract of Judgment* has not been recorded, you may use Form SC-290. If an abstract has been recorded, use Form EJ-100.

Warning! If you do not file an *Acknowledgment of Satisfaction of Judgment*, you may have to pay the judgment debtor damages and a penalty.

You may need to pay fees to the court, the county recorder's office, or the sheriff for filing, issuing, and recording papers and doing the other things discussed above. Sometimes, you can ask the court to order the other side to repay you for these expenses.



Need help?

For free help, contact your county's small claims advisor:

[local info here]

Or go to "County-Specific Court Information" at www.courtinfo.ca.gov/selfhelp/smallclaims

First, read the court's decisions on Form SC-200, *Notice of Entry of Judgment*. It will tell you the court's judgment in this case. Then read this form. It will help you protect or enforce your rights, whether you won or lost the case.

Warning! You may lose important rights if you do not act within 30 days after the court handed or mailed you Form SC-200, *Notice of Entry of Judgment*. If the court mailed the *Notice of Entry of Judgment*, the date of mailing is on the *Clerk's Certificate of Mailing* that came with the notice.

If the court did not award you any money on a claim that you filed... The court's decision on your claim is *normally* final. You cannot appeal the decision on your own claim, but you may be allowed to ask the court to correct a mistake in the judgment.

If the court ordered you to pay money...

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- Pay the court. (To do this, file Form SC-145, *Request to Pay Judgment to Court*.) Or
- Ask the court to let you make payments. (To do this, file Form SC-220, *Request to Make Payments*.)

If any payment is not made in full and on time, the judgment creditor may notify the court to cancel the payment plan and the entire unpaid balance will become due and collectible.

Warning! If you do not pay the judgment or file an appeal or a motion to vacate (cancel) or correct the judgment **within 30 days** after the *Notice of Entry of Judgment was handed or mailed to you*, your wages, money, and property can be taken to pay the claim. You may also have to pay interest. If your case involves an auto accident on a California highway, the Department of Motor Vehicles (DMV) can suspend your driver's license.

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If you disagree with the judgment ordering you to pay money and you went to the small claims trial, you can appeal that decision. (You cannot appeal the decision on your own claim.) To do this, file Form SC-140, *Notice of Appeal*, within 30 days after the *Notice of Entry of Judgment* was handed or mailed to you. There will be a new trial in the superior court on all claims in the case. Each side will present evidence again. This time, each side can have a lawyer at the trial.

(Continued on page 2)

If the court ordered the other side to pay you...

You are the *judgment creditor*. You must collect your judgment. The court will not collect it for you. Some steps you can take to collect your money are summarized below. For more information, go to www.courtinfo.ca.gov/selfhelp/smallclaims/collectintro.htm.

Important! The judgment debtor has **30 days** after the *Notice of Entry of Judgment* was handed or mailed to him or her to appeal or pay or ask the court to cancel or correct the judgment. You cannot take legal steps to collect the judgment during this time.

Ask the judgment debtor to pay you the money. If the judgment debtor cannot afford to pay the judgment all at once, consider offering to take payments. If your claim was for possession of property, ask the judgment debtor to return the property to you.

If the judgment debtor does not pay, you can find out about the debtor's income or property that the sheriff can take to satisfy the judgment.

- If the debtor does not pay within 30 days after the court clerk delivered or mailed the *Notice of Entry of Judgment*, the debtor must send you Form SC-133, *Judgment Debtor's Statement of Assets*. This form will tell you what property the debtor has that may be used to pay the judgment.
- **If the debtor does not send you the completed Form SC-133**, you can file Form SC-134, *Application and Order to Produce Statement of Assets and to Appear for Examination*. In this form, you can also ask the court to award you your attorney fees, expenses, and other appropriate relief.
- **If the debtor does send you Form SC-133, you can still have the debtor come to court to answer questions** about income and property. To do this, file Form EJ-125, *Application and Order for Appearance and Examination*.

(Continued on page 2)



If the court ordered you to pay money...

(continued)

If you disagree with the judgment ordering you to pay money, and you did not go to the trial, you can ask the court to vacate (cancel) the judgment. To do this, file Form SC-135, *Notice of Motion to Vacate Judgment*, **within 30 days*** after the *Notice of Entry of Judgment and Declaration* was handed or mailed to you. If the court denies your request, you have until 10 days from the date the notice of denial is mailed to file an appeal.

Exception:* If the claim against you was not properly served, you have **180 days from the date that you found out (or should have found out) about the judgment against you to file a request to cancel the judgment.

Unless you pay the judgment or file an appeal or a motion as discussed above, you must complete Form SC-133, *Judgment Debtor's Statement of Assets*, and deliver it to the judgment creditor within 30 days after the clerk delivered or mailed the Notice of Entry of Judgment.

Warning! If you do not deliver the completed Form SC-133, the court can order you to pay attorney fees and impose other penalties.

If the court ordered the other side to pay you...

(continued)

- To obtain the judgment debtor's financial records from another person or a company at a hearing, fill out Form SC-107, *Small Claims Subpoena and Declaration*, take it to the small claims court clerk to be issued, and then have it served.

Once you know about the judgment debtor's income and property, you can ask the sheriff to take that property to pay you. (Property that may be taken includes wages, bank accounts, automobiles, business property, and rental income.) To do this, fill out and ask the court clerk to issue Form EJ-130, *Writ of Execution*. Then, take the form to the sheriff's office with a description of the debtor's property.

You can also put a lien on the judgment debtor's house or other real estate. To do this, fill out and ask the court clerk to issue Form EJ-001, *Abstract of Judgment—Civil and Small Claims*. Then, take or mail the *Abstract* to the county recorder's office in the county where you think the debtor owns real property. If the judgment debtor sells, refinances, or buys real property in that county, your judgment should be paid from the debtor's funds.

After the judgment has been paid in full, you must fill out an *Acknowledgment of Satisfaction of Judgment* and file it with the court clerk. If an *Abstract of Judgment* has not been recorded, you may use Form SC-290. If an abstract has been recorded, use Form EJ-100.

Warning! If you do not file an *Acknowledgment of Satisfaction of Judgment*, you may have to pay the judgment debtor damages and a penalty.

You may need to pay fees to the court, the county recorder's office, or the sheriff for filing, issuing, and recording papers and doing the other things discussed above. Sometimes, you can ask the court to order the other side to repay you for these expenses.



Need help?

For free help, contact your county's small claims advisor:

[local info here]

Or go to "County-Specific Court Information" at www.courtinfo.ca.gov/selfhelp/smallclaims

Case Number: _____

This form is attached to Form SC-200, *Notice of Entry of Judgment*

The court orders:

- ① **The court will not allow a trial after the arbitration because:**
- a. The arbitration is binding (final).
 - b. The plaintiff willfully failed to appear at the arbitration hearing.

- ② **The court granted a trial after the arbitration:**
- a. The trial was held on (*date*): _____
 - b. The trial will be held at this time and place:

<div style="border: 1px solid black; border-radius: 15px; padding: 5px; display: inline-block;"> Trial Date </div> →	Time: _____	Dept.: _____	Name and address of court if different than address on Form SC-200: _____ _____ _____
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- ③ **The court corrects the arbitration award as follows (*explain*):** _____

- Continued on Attachment 3.*
- If this box is checked, all other aspects of the award are confirmed.*

- ④ **The court vacates (cancels) the award and orders:**
- a. The attorney and client must go to a new arbitration with:
 - new arbitrators. the same arbitrators.
 - b. No new arbitration.

- ⑤ **The court confirms the attached award:**
- a. Made by the arbitrators.
 - b. As corrected in ③ above.

- ⑥ **The court does not confirm the award and:**
- a. The award is vacated. See ④ above.
 - b. The case is dismissed.

- ⑦ **The court orders:**
- a. The attorney client must pay the other party disputed fees and costs of: \$ _____.
 - b. The attorney client must pay the other party costs of this hearing of: \$ _____.
 - c. Neither party has to pay the other party anything.

Clerk stamps here when form is filed.

Read the other side before you fill out this form.

① I am asking for permission to pay my small claims judgment in payments.

My name is: _____

Mailing address: _____

Phone: _____

② On (date): _____, the court made the decision (judgment) that:

I owe (total amount): \$ _____

To (name of party you must pay): _____

Mailing address: _____

Phone: _____

③ I am asking for permission to make payments, instead of paying the full amount all at once, because (explain):

If your answer will not fit in the space below, check this box and attach your answer on a separate sheet of paper. Write "SC-220, Item 3" at the top.

④ I ask the court to allow me to make payments on the following terms (check and complete all that apply):

a. Payments of \$ _____, on the _____ day of each (month, week, other): _____
Starting (date): _____, until (date of final payment): _____; amount of final payment: \$ _____

b. Other payment schedule (specify): _____

c. The total amount of payments is \$ _____, which includes interest on the unpaid balance of the judgment. The actual amount of that interest may be different if the payments are made late or early. Attach a page that shows how you calculated the interest and write "SC-220, Item 4c" at the top.

d. The total amount of payments is the same as the judgment. If all payments are made in full and on time, no interest will be owed on the judgment, and the judgment will be paid in full.

e. Other (specify): _____

Warning! If any payment is not made in full and on time, the judgment creditor may notify the court to cancel the payment plan and the entire unpaid balance will become due and collectible.

I declare under penalty of perjury under the laws of the State of California that the information above is true and correct.

Date: _____

Type or print your name

▶

Sign here

Payments in Small Claims Cases

General Information

If the court ordered you to pay money, you can ask the court for permission to make payments. Here's how:

- Read this form.
- Fill out Form SC-220, *Request to Make Payments*. Fill out one form for each plaintiff or defendant (judgment creditor) you want to make payments to.
- Fill out Form EJ-165, *Financial Statement*.
- File your completed forms with the small claims court clerk.

The court will mail all other plaintiffs and defendants in the case copies of your *Request to Make Payments* and *Financial Statement*, and a blank Form SC-221, *Response to Request to Make Payments*.

The other parties will have 10 days to file a Response. Then, the court will mail all plaintiffs and defendants in the case:

- A decision on the *Request to Make Payments* or
- A notice to go to a hearing.

If the court ordered someone to pay you money, and that person has filed a *Request to Make Payments*...

- Read this form and the *Request*.
- If you agree with the *Request*, you do not need to do anything.
- **If you do not agree with the *Request* or you want to be paid interest, file a *Response* within 10 days after the court clerk mailed the *Request* to you.** (This date is on the *Clerk's Certificate of Mailing*.) If you do not do this, the court may allow the person who owes you money to make payments. And, you may lose your rights to collect interest on the judgment.

To file your Response:

- Fill out Form SC-221, *Response to Request to Make Payments*.
- Have your *Response* served on all other plaintiffs and defendants in your case. (See Form SC-112A, *Proof of Service By Mail*.)
- File your *Response* and *Proof of Service* with the small claims court clerk.

Answers to Common Questions

When is the judgment due?

Unless the court orders otherwise, small claims judgments are due immediately. If the judgment is not paid in full within 30 days, the judgment creditor (person to whom the money is owed) can take legal steps to collect any unpaid amount. (Collection may be postponed if an appeal or a request to vacate (cancel) or correct the judgment is filed.)

Can the judgment debtor make payments?

A party who was ordered to pay a small claims judgment (the judgment debtor) can ask the court for permission to make payments. If the court agrees, the party who is owed money (the judgment creditor) cannot take any other steps to collect the money as long as the payments are made on time.

Is interest added after the judgment?

Interest (10 percent per year) is usually added to the unpaid amount of the judgment from the date the judgment is entered until it is paid in full. Interest can only be charged on the unpaid amount of the judgment (the principal); interest cannot be charged on any unpaid

interest. If a partial payment is received, the money is applied first to unpaid interest and then to unpaid principal.

When the court allows payments, the court often does not order any interest, as long as all payments are made in full and on time. Unless the creditor asks for interest to be included in the order allowing payments, the creditor may lose any claims for interest. But, if the debtor does not make full payments on time, interest on the missed payment or the entire unpaid balance might become due and collectible.

How do I calculate interest?

If you are proposing a payment schedule that includes interest, you need to itemize the principal and interest for each payment. To do this, you can search on the Internet for "free amortization calculator." Enter the total amount of the judgment as the principal, the interest rate of 10 percent per year, the frequency of payments (monthly, weekly, etc.), and the number or length of payments. Print the results showing the payment amount and how each payment is divided between principal and interest. Attach this to your *Request* or *Response*.



Need help?

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[[local info here](#)]

Or go to "County-Specific Court Information" at www.courtinfo.ca.gov/selfhelp/smallclaims

General Information

If the court ordered you to pay money, you can ask the court for permission to make payments. Here's how:

- Read this form.
- Fill out Form SC-220, *Request to Make Payments*. Fill out one form for each plaintiff or defendant (judgment creditor) you want to make payments to.
- Fill out Form EJ-165, *Financial Statement*.
- File your completed forms with the small claims court clerk.

The court will mail all other plaintiffs and defendants in the case copies of your *Request to Make Payments* and *Financial Statement*, this information form, and a blank Form SC-221, *Response to Request to Make Payments*.

The other parties will have 10 days to file a **Response**. Then, the court will mail all plaintiffs and defendants in the case:

- A decision on the *Request to Make Payments* or
- A notice to go to a hearing.

If the court ordered someone to pay you money, and that person has filed a *Request to Make Payments*...

- Read this form and the *Request*.
- If you agree with the *Request*, you do not need to do anything.
- **If you do not agree with the *Request* or you want to be paid interest, file a *Response* within 10 days after the court clerk mailed the *Request* to you.** (This date is on the *Clerk's Certificate of Mailing*.) If you do not do this, the court may allow the person who owes you money to make payments. And, you may lose your rights to collect interest on the judgment.

To file your Response:

- Fill out Form SC-221, *Response to Request to Make Payments*.
- Have your *Response* served on all other plaintiffs and defendants in your case. (See Form SC-112A, *Proof of Service By Mail*.)
- File your *Response* and *Proof of Service* with the small claims court clerk.

Answers to Common Questions

When is the judgment due?

Unless the court orders otherwise, small claims judgments are due immediately. If the judgment is not paid in full within 30 days, the judgment creditor (person to whom the money is owed) can take legal steps to collect any unpaid amount. (Collection may be postponed if an appeal or a request to vacate (cancel) or correct the judgment is filed.)

Can the judgment debtor make payments?

A party who was ordered to pay a small claims judgment (the judgment debtor) can ask the court for permission to make payments. If the court agrees, the party who is owed money (the judgment creditor) cannot take any other steps to collect the money as long as the payments are made on time.

Is interest added after the judgment?

Interest (10 percent per year) is usually added to the unpaid amount of the judgment from the date the judgment is entered until it is paid in full. Interest can only be charged on the unpaid amount of the judgment (the principal); interest cannot be charged on any unpaid

interest. If a partial payment is received, the money is applied first to unpaid interest and then to unpaid principal.

When the court allows payments, the court often does not order any interest, as long as all payments are made in full and on time. Unless the creditor asks for interest to be included in the order allowing payments, the creditor may lose any claims for interest. But, if the debtor does not make full payments on time, interest on the missed payment or the entire unpaid balance might become due and collectible.

How do I calculate interest?

If you are proposing a payment schedule that includes interest, you need to itemize the principal and interest for each payment. To do this, you can search on the Internet for "free amortization calculator." Enter the total amount of the judgment as the principal, the interest rate of 10 percent per year, the frequency of payments (monthly, weekly, etc.), and the number or length of payments. Print the results showing the payment amount and how each payment is divided between principal and interest. Attach this to your *Request* or *Response*.



Need help?

For free help, contact your county's small claims advisor:
[local info here]

Or go to "County-Specific Court Information" at www.courtinfo.ca.gov/selfhelp/smallclaims

Clerk stamps here when form is filed.

Read both sides of Form SC-220, *Request to Make Payments*, before you fill out this form.

① I am a judgment creditor in this small claims case.

My name is: _____

Mailing address: _____

Phone: _____

② The judgment debtor who asked to make payments in this case is:

(Name): _____

③ I agree to accept the payment plan in the *Request*.

④ I agree to accept a different payment plan (check and complete all that apply):

a. Payments of \$ _____
on the _____ day of each (month, week, other): _____
Starting (date): _____, until (date of final payment): _____;
amount of final payment: \$ _____

b. Other payment schedule (specify): _____

c. The total amount of payments is \$ _____, which includes interest on the unpaid balance of the judgment. The actual amount of that interest may be different if the payments are made late or early. Attach a page that shows how you calculated the interest and write "SC-221, Item 4c" at the top.

d. The total amount of payments is the same as the judgment. If all payments are made in full and on time, no interest will be owed on the judgment, and the judgment will be paid in full.

e. Other (specify): _____

Important! If any payment is not made in full and on time, you may notify the court to cancel the payment plan and the entire unpaid balance will become due and collectible.

⑤ I do not agree to accept payments because (explain):

If your answer will not fit in the space below, check this box and attach your answer on a separate sheet of paper. Write "SC-221, Item 5" at the top.

I declare under penalty of perjury under the laws of the State of California that the information above is true and correct.

Date: _____

Type or print your name

▶ _____
Sign here

Clerk stamps here when form is filed.

1 A request to make payments on a small claims judgment was filed by the judgment debtor (name of the person who owes money in this case):

The court orders:

2 [] The Request to Make Payments is denied. The person in 1 must pay the entire judgment immediately.

3 [] The Request to Make Payments is approved, and the court orders:

a. [] Payments of \$ _____ on the _____ day of each (month, week, other): _____ starting (date): _____ until (date of final payment): _____, amount of final payment: \$ _____

b. [] Other payment schedule (specify): _____

c. [] The total amount of payments is \$ _____ which includes interest on the unpaid balance of the judgment. The actual amount of that interest may change if the payments are made late or early.

d. [] The total amount of payments is the same as the judgment. If all payments are made in full and on time, no interest will be owed on the judgment, and the judgment will be paid in full.

e. If any payment is not made in full and on time, the judgment creditor may notify the court to cancel the payment plan and the entire unpaid balance will become due and collectible.

f. [] Other (specify): _____

4 [] The court will make orders on this Request after a hearing, which will take place on:

Hearing Date [] Time: _____ Dept. _____

Name and address of court if different than address above:



Request for Accommodations Assistive listening systems, computer-assisted real-time captioning, or sign language interpreter services are available if you ask at least five days before the hearing. Contact the clerk's office for Request for Accommodations by Persons With Disabilities and Response (Form MC-410). (Civil Code, § 54.8)

5 [] Other orders (specify): _____

[] Continued on Attachment 5.

Date: _____

Judicial officer _____



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Clerk stamps here when form is filed.

See instructions on other side.

To the court clerk:

- ① My name is: _____
Mailing address: _____

Phone: _____

- ② I am the *(check one)*:
 - a. Judgment creditor.
 - b. Assignee of record.

- ③ I acknowledge that the judgment owed to *(name)*: _____

was paid or otherwise satisfied on *(date)*: _____

as follows *(check and complete one)*:

- a. The judgment has been fully paid or satisfied as to all judgment debtors.
- b. The judgment has been fully paid or satisfied as to these judgment debtors only *(names and addresses of judgment debtors who have fully paid or satisfied judgment)*:

(1) Name: _____
Mailing address: _____
street city state zip

(2) Name: _____
Mailing address: _____
street city state zip

(3) Name: _____
Mailing address: _____
street city state zip

(4) Name: _____
Mailing address: _____
street city state zip

Fill in the court name and street address:

Superior Court of California, County of

Fill in your case number and case name:

Case Number:

Case Name:

I declare under penalty of perjury under the laws of the State of California that the information above is true and correct.

Date: _____

Type or print your name

▶ _____
Judgment creditor or assignee signs here

Instructions for Form SC-290, *Acknowledgment of Satisfaction of Judgment*

(This page is not part of the *Acknowledgment of Satisfaction of Judgment* and does not need to be copied, served, or filed.)

Warning to the judgment creditor or person to whom the judgment has been assigned!

- When a small claims judgment has been fully paid or satisfied, you must file an *Acknowledgment of Satisfaction of Judgment* with the small claims court immediately.
- If the *Acknowledgment* is not filed within 14 days after the judgment debtor requests it, you may have to pay the judgment debtor damages and a penalty.

Use Form SC-290 to acknowledge payment of a small claims judgment if:

- You are the judgment creditor (or assignee), and the judgment debtor has paid the full judgment (or satisfied it in another way), and
- Form EJ-001, *Abstract of Judgment—Civil and Small Claims*, has NOT been recorded for this judgment.

Use Form EJ-100 to acknowledge payment if:

- The judgment debtor has paid only part of the judgment, or
- Form EJ-001, *Abstract of Judgment—Civil and Small Claims*, has been recorded.



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