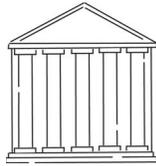


# Get Ready for Small Claims Court

## Where will my small claims hearing be?

The date, time, and location of your hearing are listed on form SC-100.

**Get to the courtroom 15 minutes early.** Before you enter, look for your case on the court calendar outside the courtroom. (If you do not see your case on the calendar, tell the clerk.) Check in with the clerk and sit down. Do not leave the courtroom or you may lose your case if you are not there when called.



## Can I hire a lawyer to speak for me?

No. You cannot have a lawyer in Small Claims Court.

## Can I postpone the hearing?

Fill out and file form SC-110 to ask the Court to *continue* (postpone) your hearing. You must file your request to postpone at least 10 days before your scheduled hearing. You will have to pay \$10. And, you must have a good reason to postpone, such as:

- Medical emergency
- Death in your family
- Jury duty
- More time to find an interpreter

If the judge agrees to postpone, the clerk will mail you a form with the new date and time.

**Important!** Be ready on the original date in case the judge decides not to postpone your hearing.

## What happens at my hearing?

The clerk will call out all of the case names to see who is present. Then, you will all take an oath promising to tell the truth. Go to the table in front of the judge when your case is called. The plaintiff will speak first.

## What if I don't speak English?

If you do not speak English, bring someone to interpret for you. The Court will let you postpone your hearing *once* if

you need more time to find an interpreter. If you have a fee waiver, the court will give you an interpreter. You must let the clerk know you need an interpreter the first time you file your papers.

## How do I tell the judge about my case?

Write down a summary of the facts and evidence that support your case. Practice saying it. If you get nervous at the hearing, just read your summary.

You can also bring documents, photos or witnesses that support your case.

Always speak to the judge. Do not interrupt. Stay calm. If you do not understand a question, ask the judge to explain it. Be polite and tell the truth.

## Do I have to explain the amount of my claim?

Yes. If you are the plaintiff, write down how you calculated the amount. Bring an extra copy for the judge.

If you are the defendant and you think the plaintiff is asking for too much, be ready to explain why to the judge.

## Can I ask the other party to pay my court costs?

Yes. If you win, you can ask the judge to order the other party to pay your court costs, like filing fees, fees for service or witnesses. Bring your receipts to the hearing and show them to the judge.

## What if I do not go to the hearing?

If you are the *defendant* (the person being sued) and you received proper notice but do not go to the hearing, the judge will hear the case any way.

If you are the *plaintiff* (the person suing) and you do not go, the judge may:

- Reschedule the hearing,
- Dismiss the case, or
- Decide in favor of the defendant (called a *default judgment*).

## What happens after the hearing?

The judge will make a decision (called a *judgment*) on your case. It will be mailed to you in 2-4 weeks. If you do not receive the judge's decision in 4 weeks, call the court clerk.

## Where can I get help?

Go to the ACCESS Center.

Our schedule is:

**Monday – Thursday:** 8:30 a.m. – 12 Noon  
1:30 p.m. – 4:00 p.m.  
**Friday:** 8:30 a.m. – 12 Noon



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