

Small claims court is an expedited and informal court process where you can sue for up to \$10,000. There are no attorneys allowed in small claims court. You and the person you are suing must represent yourselves. This handout provides an overview of the small claims process:

<p><b>Make a demand</b></p>	<p>Before starting a small claims law suit you must make an oral or written demand to the person you would like to sue. The demand must state how much you are owed, when they should pay you by, and how they should pay you.</p> <ul style="list-style-type: none"> <li>- <a href="#">Templates for housing related demand letters from Tenants Together</a></li> </ul> <p>Give the person a “reasonable” amount of time to respond (usually 7-14 days). If you don’t hear anything or they refuse, you can move forward with filing a small claims lawsuit.</p>
<p><b>Complete Small Claims Forms</b></p>	<p>All small claims forms can be downloaded from the <a href="#">judicial council website</a> Fill out a <a href="#">Plaintiff's Complaint and Order to go to Small Claims Court (SC-100)</a>. You may also need additional forms such as:</p> <ul style="list-style-type: none"> <li>• <a href="#">SC-100A</a> – form to add additional Plaintiffs or Defendants</li> <li>• <a href="#">MC-031</a> – Extra page to explain why you are suing</li> <li>• <a href="#">FW-001</a> – Request to Waive Court Fees</li> </ul> <p>Additional assistance with forms and filing:</p> <ul style="list-style-type: none"> <li>• <b>Information for Plaintiff</b> <a href="#">SC-100 INFO</a> sheet explains how to file the complaint and move forward with your case (also available in <a href="#">Spanish</a>)</li> <li>• Review <a href="#">sample small claims forms</a></li> </ul>
<p><b>Find the correct courthouse</b></p>	<p><b>Determine which Los Angeles Courthouse you should file in.</b> Enter your zip code into the <a href="#">Filing Court Locator - Online Services - LA Court</a> tool to find the correct courthouse to file your small claims case.</p>
<p><b>File with the small claims clerk</b></p>	<p><b>File documents in person with the small claims clerk or submit them by fax.</b></p> <ul style="list-style-type: none"> <li>• Fax filing number for LA courts: <a href="http://www.lacourt.org/division/civil/pdf/FaxFilingNumbers.pdf">http://www.lacourt.org/division/civil/pdf/FaxFilingNumbers.pdf</a></li> <li>• If you have questions about filing, contact the small claims clerk in the courthouse where you will be filing</li> </ul> <p>Once you file the documents – you will receive a hearing date and case number from the clerk.</p>
<p><b>Serve the small claims documents</b></p>	<p><b>You must serve the small claims documents on the defendant(s).</b> Service is when you formally deliver the small claims documents to the people you are suing. There are very specific rules for service that you are required to follow.</p> <ul style="list-style-type: none"> <li>• Watch <a href="#">Small Claims Court -Serving Court Papers - YouTube</a></li> <li>• Read <a href="#">LA Superior Court page on service</a></li> <li>• The <a href="#">Los Angeles County Sherriff’s Office</a> assists with serving documents</li> </ul> <p>Documents must be served on the Defendant(s) no later than 15 days before the small claims hearing date. Depending on the method of service and where the Defendant lives you may need to serve even further in advance (20-25 days before the hearing).</p>

<b>File Proof of Service</b>	The person who serves the documents must fill out the details on the <a href="#">Proof of Service (SC-104)</a> . You then must <b>file the Proof of Service with the court</b> in person or by fax at least 5 days prior to your small claims hearing date.
<b>Prepare for your small claims hearing</b>	Gather evidence to support your claims including documents, photos/videos, and witnesses. If appearing at the hearing remotely, exchange evidence following <a href="#">LASC CIV 278</a> <ul style="list-style-type: none"> <li>• Watch <a href="#">DCBA Instructional Video</a> on exchange of evidence</li> </ul> <a href="#">Request an interpreter</a> for any language other than Spanish. You can request a Spanish interpreter in court the day of your hearing. Enroll in and participate in LA Online Dispute Resolution (ODR) program. You can try to reach a settlement or request a mediator to assist in resolving your dispute with this program: <ul style="list-style-type: none"> <li>• Watch <a href="#">DCBA instructional videos</a></li> </ul>
<b>Attend your small claims hearing</b>	Bring three copies of all evidence with you (a copy for yourself, a copy for the judge, and a copy for the opposing party) As the plaintiff, you have the <b>burden of proof</b> . This means you must have enough evidence to prove to the judge 1) what you claim happened is true; and 2) the amount of money you are owed is correct.
<b>Receive the judge's decision</b>	In most cases, the judge will take the case under submission. This means the judge will consider what you said at the hearing and further review the evidence you brought to court before making a decision. The decision will be mailed to you. Keep your mailing address up to date with the court.  <u>If you won</u> (judge decides the Defendant owes you money), then you may proceed with collecting and enforcing the judgment. <ul style="list-style-type: none"> <li>• Read <a href="#">DCBA "After Your Case" Page</a></li> </ul> <u>If you lost</u> (judge decides the Defendant does not owe you money), then you do not get anything and you cannot file another claim on this issue again

**Additional resources:**

**General resources:**

Small Claims Court forms: <https://www.courts.ca.gov/1017.htm?rdeLocaleAttr=en>

Small Claims process overview: <https://selfhelp.courts.ca.gov/small-claims>

Los Angeles Small Claims Advisor (DCBA): <https://dcba.lacounty.gov/portfolio/how-to-sue-in-small-claims-court/>

**Court resources:**

LA Superior Court Small Claims Dept. Homepage: <http://www.lacourt.org/division/smallclaims/smallclaims.aspx>

LA Superior Court Case Access portal: <https://www.lacourt.org/casesummary/ui/>

**Alternatives to Small Claims Court– mediation programs:**

DCBA Mediation Program: <https://dcba.lacounty.gov/mediation/>

Loyola Center for Conflict Resolution: <https://www.lls.edu/academics/centers/loyolacenterforconflictresolution/>