

## General Overview of the Small Claims Process

**Plaintiff:** The person owed the money. **Defendant:** The person who owes the money to Plaintiff.

Plaintiff should send a **DEMAND LETTER** to the Defendant by certified mail. Plaintiff should wait 10 business days after mailing to file a case.

Plaintiff files a **SMALL CLAIMS** case with the court. Hearing date is scheduled.

Once the Complaint is filed, it must be promptly served on the Defendant. *(Plaintiff's responsibility to have it served and get proof to the Court.)*

HEARING IS HELD

If Defendant **DOES NOT** attend the hearing, the Plaintiff must still prove his/or case before the judge.  
**DEFAULT JUDGMENT** may be issued.

If Defendant disagrees with the **DEFAULT JUDGMENT**, Defendant must file a **Motion** to Set Aside Default Judgment.

If Plaintiff **DOES NOT** attend the hearing, the case is **DISMISSED**.

If Plaintiff disagrees with **DISMISSAL**, Plaintiff must file a **Motion** to Set Aside Dismissal.

Both parties appear, the case is heard before the judge, and a **JUDGMENT** is issued for one of the parties.

If either party disagrees with **JUDGMENT**, file **APPEAL** to the district court within 5 days. Party appealing must pay filing fee, cost bond, and judgment amount.