

INFORMATION GUIDES

[Return to Fee Schedule Summary](#)

Title	Description
Court Document required	Two copies of the Plaintiff's Claim and Order to Defendant (form SC-100)
Purpose of Process	The small claims court acquires jurisdiction to hear the case when the Plaintiff's Claim and Order to Defendant is served on the defendant.
Sheriff's Instructions	Specify an address for service where the defendant usually works or lives.
Time for Service	The Sheriff must receive the process no later than four weeks before the hearing.
Manner of Service	The defendant may be served by personal or substituted service. Personal service must be made not less than 16 days before the hearing. Substitute service must be made at least 21 days before the hearing.
Fee Deposit	\$0.00
Fee	\$40.00 if served, not found or canceled
Proof of Service	The Sheriff will mail a Certificate of Service to the court and a Notice of Service to the plaintiff if the Claim is served. If not served, a Not Found/No Service return is mailed to the plaintiff explaining the reason for non-service.

Information Guide

A small claims case cannot be heard until the defendant (the person sued) is served with a copy of the Plaintiff's Claim and Order to Defendant. The Plaintiff's Claim and Order to Defendant may be personally served at least 16 days before the hearing if the place of service and the court are in the same county. If the court is in another county, personal service must be made at least 16 days before the hearing. Service may also be made by substitution in which a copy of the Plaintiff's Claim and Order to Defendant is left with a suitable person at the defendant's usual place of abode (residence), employment or mailing address and a copy mailed to the defendant at that address. Substitute service must be made at least 21 days before the hearing or 21 days if the court is in another county. If the defendant is served, the Sheriff will file a proof of service with the court and mail a notice of service to the plaintiff. If service is unsuccessful, the Sheriff will mail a certificate of not found/no service detailing the reasons for non-service to the plaintiff. The plaintiff should not appear in court unless advised that the Plaintiff's Claim and Order to Defendant was served. The plaintiff should call the Sheriff for a status check if a mailed notification is not received at least five days before the hearing.

Sheriff's Instructions-General Civil Process

Checklist

- \$40 fee deposit
- Sheriff Instructions
- Two copies of Plaintiff's Claim and Order to Defendant

Deliver to the proper Sheriff's civil process Branch office at least four weeks before the hearing date