

Suing in Small Claims Court



Self-Prep & File

Go to <https://www.sanmateocourt.org/ogf/> for a program that helps you fill out your forms. Or find individual forms at <http://www.courts.ca.gov/forms.htm?filter=SC>

Step 1:

FILL OUT YOUR COURT FORMS



- [SC-100](#): Plaintiff's Claim and ORDER to Go to Small Claims Court.
- If you need more space to tell your story, use MC-030: Declaration. Attach it to your SC-100.
- Small claims fees are \$30–\$75, depending on how much you are suing for. If you can't afford the fee, you can ask for a fee waiver: [FW-001](#) & [FW-003](#).

Step 2:

FILE YOUR CLAIM WITH THE COURT



1. Make 2 copies of SC-100: Plaintiff's Claim, 1 copy of fee waiver forms (if used).
2. Turn in the documents and the copies at the clerk's office.

The clerk will return stamped copies to you and give you a trial date.

Step 3:

TELL THE OTHER SIDE—IN A LEGAL WAY—THAT THEY HAVE BEEN SUED



This is called *Service* and you can't do it yourself.

- Have someone 18 or older, not you, give the defendant a copy of SC-100 in person, or by substituted service (delivery to a physical address and mailing).
- Have the server fill out a Proof of Service: [SC-104](#).
- File the Proof of Service.

There are deadlines for this step. Be sure to check the [website](#) for help.

Step 4:

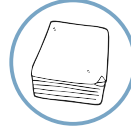
PREPARE FOR TRIAL

You must bring evidence to support your claim. Be prepared.



1. Your reasons for asking for the specific amount of money you are claiming

Be detailed. A list can help.



2. Your evidence, like:

- Bills, contracts, cancelled checks, receipts, photos, and letters
- Printouts of electronic documents, like emails, text messages, or social media posts
- Bring the originals and 2 copies of each document to the trial: 1 for the judge, 1 for you, and 1 for the defendant.



3. Witnesses

Bring witnesses or witness statements.

- Who can help you tell your side of the story? Are they willing to come to trial?
- As the trial date gets close, remind your witnesses to come.

Step 5:

COLLECT / PAY THE JUDGMENT



If the judge finds in your favor, you will have to collect on your judgment. If you lose, you will have to pay your judgment. There may be other options, too. See the [website](#) to learn other ways to collect a judgment.



For more information, visit:
<http://www.sanmateocourt.org/selfhelp>