Kimball, Tirey & St. John LLP

How to Prepare (and Win!) Your Small Claims Court Case

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INTRODUCTION

This guide will explain how you can maximize your ability to win a Small Claims Court case -- whether you are the plaintiff or defendant. Although small claims actions may stem from other damages suffered, this guide will concentrate on claims resulting from a landlord/tenant relationship.

A plaintiff is the person who filed the complaint. A defendant is the responding person against whom the lawsuit has been filed. If the defendant files a cross complaint against the plaintiff, the defendant will now also be a cross plaintiff and the plaintiff will also be a cross defendant. This becomes important as discussed below.

Small claims cases are decided by a judge or commissioner. Although attorneys are not allowed to practice in Small Claims Court, they may be a witness and can come with you to the courthouse. However, they will not be able to argue or present evidence on your behalf. This means you need to effectively represent yourself. **How** you prepare your case and present it to the court often has as much to do with the outcome of the case as the "merits" of the case itself.

WINNING IN SMALL CLAIMS COURT

When you are the plaintiff or a cross plaintiff in a Small Claims Court action, you are trying to obtain a money judgment against someone to compensate you for damages caused by that person or entity. The damage may be caused by the tenant's actions or failure to act. It is important that you prepare your case thoroughly to give you the best chance at winning. A plaintiff who loses a Small Claims Court case *cannot appeal*. Only a defendant can appeal a small claims case. If there is a cross complaint filed in a small claims action, either side that loses may file an appeal as the parties are both a plaintiff and a defendant.

If you are the defendant in a Small Claims Court, you are trying to avoid being held liable to the plaintiff for some amount of money.

Whether you are a plaintiff or a defendant, ***prepare your case thoroughly the first time.***

Below are instructions on **how** to prepare your Small Claims Court case:

I. HOW TO PREPARE IF YOU ARE THE PLAINTIFF (Preparing a Good "Offense")

If you are the person filing the lawsuit (the plaintiff), you will speak first at trial. You have the burden of proving your case to the judge by a "preponderance of the evidence," which means that the evidence presented must show that it is more likely than not you should prevail. Some refer to this as the 51% rule. If a judge is 51% sure that the plaintiff is correct, the plaintiff wins. However, if a judge is only 50% sure that the plaintiff is correct, the defendant wins. In contrast, the burden of proof in a criminal matter is more difficult to meet; the burden of proof in a criminal matter is "beyond a reasonable doubt."

"Evidence" is the facts, testimony, witnesses, and documents you present to persuade the judge that you deserve to get what you are asking for.

Remember: At trial there are usually significant disagreements between the parties about what happened. You need to persuade the judge that your version of the facts is accurate. Even if you are telling the truth and the other party is not, that may not be readily apparent to a judge if you do not have witnesses and documents supporting your position. So, **how** you present your side is very important. Even if the other side is lying, if their version is presented in a more organized or believable manner, the court may decide their version is the truth. This is why written documentation and evidence is important in addition to oral testimony.

Bringing a small claims case involves the steps described below.

A. Demand Payment

Before you file your Plaintiff's Claim with the Small Claims Court, demand payment from the defendant. Write a letter to the defendant, explaining that you want them to pay you a certain amount of money and the reasons why. Give the defendant a reasonable time in which to respond. Fourteen (14) days is a generally a reasonable time to respond.

As a result of the COVID-19 pandemic, the demand for payment requires additional effort and documentation by a landlord. Under SB 91, the residential landlord who demands "COVID rental debt", meaning financial obligations that became due under lease between March 1, 2020 and June 30, 2021, must also try to assist the tenants in seeking assistance for this debt. The residential landlord must: investigate, seek, or cooperate with a tenant's efforts in obtaining governmental assistance to recover COVID rental debt. This does not apply to cases where the case was pending before January 29, 2021 or unlawful detainer cases.

B. File the Plaintiff's Claim

If the defendant does not pay you the money demanded within a reasonable time, go to Small Claims Court and file the Plaintiff's Claim and Order to Go to Small Claims Court (Form SC-100). If you are suing a business, it is important to know whether it is a corporation, partnership, or sole proprietorship, and whether it is doing business under a fictitious business name. If you are doing business under a fictitious business name, file and serve a Fictitious Business Name Declaration (Form SC-103).

Follow the instructions on the back of the Plaintiff's Claim and the form Information for Plaintiff's (Form SC-100-INFO). Fill out the forms accurately. Often there is a local "Small Claims Court Advisor" who can answer questions for you at no charge. There is also additional information on the State Court website that provides additional information and instruction at https://www.courts.ca.gov/selfhelp-smallclaims.htm?rdeLocaleAttr=en.

1. Amount of Claim

You must indicate the dollar amount that you are suing for, and you must prove the amount of your damages. You will be limited to a claim of $10,000 or less (See California Code of Civil Procedure §§116.220, 116.221, 116.224 and 116.231 regarding additional jurisdictional limitations, including additional limitations against guarantors and actions brought by "natural persons" for bodily injury claims arising out of automobile accidents). Amounts that can be recovered in small claims actions increased from $5,000 to $7,500 for "natural persons" as of July 1, 2006, and again to $10,000 in July, 2011. The increase does not apply to plaintiffs who are corporations, partnerships, unincorporated associations, governmental entities, LLCs, or other entities.

Another change in small claims due to the COVID-19 pandemic are these thresholds. Until July 1, 2025, a residential landlord may file a small claims case for the full damage amount owed to them, regardless of the amount, so long as the damages stem from COVID rental debt. The

removal of the $10,000 limit with respect to COVID rental debt lies in Section 9 of SB 91. This section also removes any limitation on the number of cases a plaintiff files in small claims so long as the case is based on the recovery of COVID rental debt. These COVID-19 cases cannot be filed until August 1, 2021.

2. Identify the Defendants

You must correctly identify the responsible parties and sue the defendant by their/its exact complete name. It is very important to name the defendant correctly, because you will only be able to collect from the party or parties whose name is exactly the same as the name that appears on your claim. List any fictitious business names as well. The exact name means double checking for spelling, commas, abbreviations, and business entity distinctions (LLP, LLC, Corp.) as described below.

Insert the letters "dba," (which stands for "doing business as") between the name of the owner and the company name if the owner is doing business under a fictitious name. (Example: Joseph F. Stanley, an individual dba Stanley Stores).

If you are suing an individual, write their first name, middle initial, and last name.

If you are suing a husband and wife, write the husband's full name and the wife's full name (Example: Joseph F. Stanley and Sara R. Stanley).

If you are suing a partnership**,** name both the partnership and the partners as individuals as well. (Example: Joseph F. Stanley, an individual, Peter R. Jones, an individual and Stanley & Jones, a general partnership). If you win your case, you will be entitled to collect from either the partnership or the individual partners if you name them this way in your Plaintiff's Claim.

If you are suing a corporation, write the exact name of the corporation. (Example: Stanley Stores, Inc. a corporation). You should double check the names of business entities wherever possible, which can be done on the Secretary of State website here.

3. Serve the Defendants

Next you need to "serve" the defendant with a copy of the case. Follow the rules on the Proof of Service forms for accurate service. These forms are found on the State Court website https://www.courts.ca.gov/documents/sc104.pdf.

There are four ways to serve the defendant:

1. Hire the Sheriff's office to serve it.

2. Hire a commercial registered process server. Kimball, Tirey & St. John LLP can assist you with services in any location and has offices in San Diego (619) 234-1690, Irvine (949) 476-5585, Los Angeles (213) 337-0050, and Concord (925) 469-1690.

3. Ask the Small Claims Court Clerk to serve it for you by certified mail. You cannot serve it yourself by certified mail and service is completed only when the defendant signs the receipt, and it is returned to the clerk; or

4. Have a friend or any person, who is not a party to the lawsuit over the age of 18, serve the defendant for you.

While service by certified mail (option 3) seems the simplest, it is not always the best method. It can be difficult to obtain good service by certified mail. The defendant may refuse to sign for the letter, or the post office may not return the certified mail slip to you by your court date. If either of these two things happens, your case cannot move forward. In order for the case to proceed to trial, you must have effectively served the lawsuit and have proof with you on the day of trial.

4. Locating an Address for Service

You must instruct the server where to serve the defendant. If you do not know where to serve the defendant, locate an address for service using one of the methods below or see How to Serve a Business or Public Entity (Small Claims) (Form SC-104C).

If the defendant has moved, address a letter to him or her at the last known address. Below your return address, write "Address Correction Requested - Do Not Forward." The letter will be returned to you with the new address, if one is on file with the post office.

If you have a telephone number, use a reverse directory to find an address. Reverse directories can be found at libraries or on the internet.

If you have a post office box listing for the defendant, you can request the name, street address, and phone number of the holder of a post office box from the post office by completing and submitting a form to the post office.

5. Who Should Be Served?

See How to Serve a Business or Public Entity (Small Claims) (Form SC-104C) for instructions about who should be served.

6. Personal or Substituted Service

Service may be personal (i.e. personally handed to the defendant) or by substituted service. Personal service is preferred but substituted service is used if the server can't find the defendant at their home or business. To complete a substituted service, the server leaves a copy at (1) the defendant's office with a person who appears to be in charge or (2) at the defendant's home with someone who is at least 18 years old. The person with whom the documents are left must be told what they are. The server must also mail a copy of the documents by first class mail to the defendant at the address where the documents were left.

A copy of the documents must be served on the defendant at least 15 days before the hearing if the defendant lives in the county in which the trial will take place, or 20 days before the hearing if the defendant lives outside of the county in which the trial will take place. If service is by mail, the claim is considered served 10 days after the copy is mailed.

The defendant need not accept the documents in order to be considered served unless the documents are served by certified mail as discussed above. Once the defendant has been correctly identified, the documents can literally be dropped at their feet if they refuse to accept them when they are handed to them.

7. File a Proof of Service

The person who serves the defendant must complete a Proof of Service (Form SC-104). The proof of service form must be filed with the small claims clerk. The clerk can tell you of any time limitations you have in filing it. (For example, in San Mateo County it must be filed at least 48 hours before the trial.) For more information about proof of service, see What is "Proof of Service" (Form SC-104B). It is also advisable to bring a copy of the filed Proof of Service with you on the date of trial in order to prove that it was filed. Sometimes documents get lost, misplaced, or somehow otherwise do not reach the court file and you will not be able to proceed with your case without this proof of service.

C. Preparing Your Case

1) Authorization to Appear. In certain situations, someone may appear on behalf of a plaintiff or defendant in a small claims case. See the Authorization to Appear (Form SC-109) for more information. Remember that attorneys cannot appear for you in court.

2) Your Witnesses. If there is a person who was a witness to certain events, who has original documents, or can verify that what you're telling the judge is true -- you want that witness to be in court the day of trial to tell the judge, in person, what happened or to produce original documents. You cannot testify as to what someone else experienced as this is inadmissible hearsay.

If the witness is a friend, ask him or her to testify in court for you. Chances are he or she will show up in court without being subpoenaed. But if you have doubts, subpoena the witness (see below).

If your witness will not come to court voluntarily or will not voluntarily provide the documents or records you need, you can subpoena them. A Subpoena (Form SC-107) is a court order that requires a person to come to court or to bring certain papers or records to court. Subpoenaed documents must be delivered to the court on or before the date of the trial.

Make sure you read the subpoena carefully and fill it out correctly. A copy of the subpoena must be personally delivered to the witness. Any person (including yourself) may deliver the subpoena. You must return the original subpoena, to the court and serve the copy to the witness. Be sure to keep a copy of the subpoena for your own records as well.

Make sure you have the subpoena served on the witness properly. Otherwise, the witness does not have to show up, and you've lost a witness who might make or break your case.

A witness can ask for fees of $35 per day and 20 cents a mile each way. Witness fees for law officers are higher. If a witness asks for fees, they do not have to appear if the fees are not paid. The person who serves the subpoena should be prepared to pay the fees at the time of service if they are requested. If the witness does not ask for fees, you do not have to offer them.

After the subpoena is served, a Proof of Service (Form SC-104) must be filed with the Small Claims Court clerk before the hearing date. Again you should keep a filed copy for your records.

BUT: If the witness will be unavailable the day of trial (due to illness, death in the family, business trip, or on vacation), you may want to ask that your trial date be postponed. You can use the Request to Postpone Trial (Form SC-150) form. The next best alternative is to get an original signed declaration from the witness. Use a Declaration (Form MC-030), writing out (typed would be better) a clear, concise statement of what happened.

So long as you submit a (relevant) written or typed statement by a witness, signed under penalty of perjury, it will be given consideration by the judge. Having a statement notarized is not the same thing! If it is not signed under penalty of perjury, it is considered hearsay and may be given little or no consideration by the judge, even if it is notarized.

NOTE: It is always better to have a "live" witness testify for you, if possible. This is because the judge then has the chance to personally see and hear the witness. If your witness is "credible," (makes a good appearance and will represent your side of the case well), have that person testify in person on your behalf. It can help you win your case because credibility is always an issue, remember the judge is deciding which set of facts is true.

3) The Facts. If you are the plaintiff, it is very important that you tell the judge quickly, and in an organized fashion, what happened. *This is your opportunity to tell your side of the case.*

Prepare a chronology, or a step-by-step accounting of the events. Write down the dates, times, places, and names of people that are important to your case. It will help you remember the important events so that you can tell your story more quickly in an organized manner. Also, you will impress the judge if you are asked a question about a date or time, and you can answer it right away.

NOTE: Your case is not the only case the judge is deciding that day. The judge may have many cases to decide in a short period of time. It is important that you present your facts to the judge quickly and in an organized manner. Judges do not like it when people ramble, take too much time, discuss irrelevant facts/issues, or are disorganized. After all, if the judge is taking the time to hear your case, you should be taking the time to prepare your side of the case thoroughly.

4) Documents. Submit all bills, receipts, telephone messages, photographs, letters, demands, etc., that concern your case to the judge. The documents must be submitted the day of trial so make sure you are prepared to leave them with the court. *You only have one shot at your case, and this is it.* Don't leave your documents at home or tell the judge you will mail them to the court. If you do not have your documents with you on the day of trial, you may lose your case. Whenever possible, bring the original documents, not copies. Videos are difficult because they are harder to present to the judge. Bring a copy of the video in case the judge wants it but bring a few photo-stills of the video that are important to the case.

The judge may not want to see every document that you bring with you. That's okay. Your job is to bring everything that you think will help the judge make up their mind.

Consider preparing and submitting to the judge a written chronology, a written itemization of your damages, and an index of your documents. They will help the judge understand your case more quickly and completely.

If you carefully follow the above steps, you will have gone a long way towards doing everything possible to win your case.

II. HOW TO PREPARE IF YOU ARE THE DEFENDANT (Preparing a Good "Defense")

A. If you have been sued, you can contact the Plaintiff and try to settle the dispute before the hearing. If you reach an agreement, make sure the Plaintiff files a Request for Dismissal with the court to take to the hearing off the court's calendar. If the Plaintiff does not provide a copy of the filed dismissal, you should still show up to the trial date to confirm the settlement. Failure to appear may provide the other side to get a judgment for the non-appearance.

B. If you are not able to resolve the disagreement, stop and think**.** Is there a claim you have against the plaintiff or any other third party that is in any way connected with the facts and circumstances in this lawsuit? If there is, you may file a counter claim against the plaintiff. See the "File the Plaintiff's Claim" section above for general information about filing a claim. The counter claim(s) for damages may offset any money you owe or may permit you to get a judgment against the plaintiff.

You will file a Defendant's Claim (Form SC-120) against the plaintiff and any other person who is involved. You must serve your Defendant's Claim 5 days before the trial date, unless you were served with the Plaintiff's Claim 10 days or less before the trial date. If you were given 10 days or less notice, you must serve the Defendant's Claim at least 1 day before the trial date.

If you fail to file and serve your Defendant's Claim on the plaintiff or any other person, you may lose your legal rights.

C. Follow all of the steps under the section above regarding "Preparing Your Case." It is necessary for you (as the defendant) to have a written chronology of events, documents, witnesses and witness' statements, especially if you have filed a Defendant's Claim against the plaintiff or any other person. The only difference is that the defendant does not have the same "burden of proof" as the plaintiff. You just need to provide the necessary evidence to defend yourself. (Of course, if you have filed a Defendant's Claim, your burden of proof on the claim is the same as the plaintiff's against on the Plaintiff's Claim - by a preponderance of the evidence.)

D. If you are the defendant, your job at trial is to make the court aware of any facts, circumstances and/or witnesses who can show the judge that what happened was not your fault, did not actually happen, or was the fault of the other person you named in your Defendant's Claim.

III. MANDATORY EVIDENCE EXCHANGE & SETTLEMENT DISCSSION

On the day of trial, if both sides show up to court, they will be asked to go outside the courtroom to exchange evidence and have an attempt to settle the matter before the trial is called. Exchange of evidence is not necessarily exchanging the documents to keep, but showing your evidence to the other side. At this time, you will take your organized folder of documents and allow the defendant to review the receipts, letters, and other documents that you will present to the court. You are not permitted to hold anything back during this exchange. If you intend to show the judge your document, you should show it to the other side.

Also during the exchange is your final opportunity to settle the case. If you see that the other side has a lot of witnesses or a lot of documentation or proof of their side, it may indicate that they could prevail on the case. Knowing the evidence may encourage you to come to an agreement with the other side with respect to the amount owed, payment plan scheduled. If you can come to an agreement, you can have it drafted into a stipulation for judgment and have it filed with the court. This stipulation will have the same force and effect with the court as if the judge decided on the merits of the case. This is a way to avoid spending the entire day in court (remember there are a lot of other cases on calendar for trial). This is also a way for each side to get a little something and avoid the one winner one loser scenario.

There likely will also be volunteer mediators at the court there to try to assist the parties to come to an agreement. This may be useful if you are having difficulties in communicating with the other side and may feel more comfortable in using the mediator. You are not required to use a mediator, in fact both sides must agree to use the services of the mediator in order for the mediator to discuss the case. The discussions should be private and are not binding. Be cautious though, while a lot of mediators are excellent and fair to both sides, some mediators try to push a settlement or bully you into taking an offer you do not want. This does not mean that you should be unwilling to give up a little to guarantee something else. It is important that whoever shows up to court should have the authority to settle the case. If you are unable to settle the matter, you are still entitled to proceed with trial.

IV. GENERAL COURT GUIDELINES FOR PLAINTIFFS AND DEFENDANTS

Here are some general rules to follow when you appear in court. Though some of them may seem obvious, you would be surprised at the number of people who appear in Small Claims Court and ignore them.

1. Think carefully before stipulating to a Judge Pro Tem.

Often a regular judge or commissioner is unavailable to hear small claims cases. Instead, small claims matters are sometimes decided by volunteer local attorneys who sit as a "judge pro tem." A judge pro tem cannot decide the outcome of your case unless both parties have "stipulated" or agreed that the judge pro tem may hear their case. A stipulation is also necessary if the case is to be decided by a commissioner instead of a judge. You will be notified when you check in for the trial that the matter will be heard by a judge pro tem so you will need to pay attention to what the court clerk tells you when you get there. You need to be able to assert your rights and refuse to sign anything and verbally decline the pro tem, if that is what you want. Do not sign or agree to something just because you do not understand what the court clerk is saying (they say the same thing every day, several times a day so they maybe talking quickly). Ask questions! Remember this is your case and your only shot so do not act rashly.

There are many fine judge pro tems. However, judges or commissioners may be more familiar with the type of dispute you are bringing. If you ***do*** stipulate to a judge pro tem, for example, you take the chance that a personal injury attorney will decide the outcome of your landlord/tenant or real property dispute. It has been estimated that as many as one third of all small claims matters involve landlord/tenant disputes, so a small claims judge or commissioner may be more familiar with landlord/tenant matters than a judge pro tem. If you don't stipulate to a judge pro tem, your case will be postponed until the next available time that the regular judge or commissioner will be available to hear your case.

2. Be prompt.

If the case is set for 8:30 a.m., make sure you're outside the courtroom by 8:25 a.m. Many cases have been taken "off calendar," dismissed, or canceled, because a plaintiff failed to show up on time. Conversely, many defendants who were late or failed to show up have had a default judgment entered against them. Make time for traffic, parking, waiting in the security line to enter the courthouse, and locating the appropriate courtroom, all of which takes longer than you might imagine.

3. Wear nice clothing.

This doesn't mean you have to wear a suit with a tie, although it is preferrable. It does mean you should wear clean, pressed slacks and shirt, or dress. These clothes should not have holes, not show too much skin, and should fit appropriately.

Why? We all make judgments about other people based upon what they're wearing (whether we want to admit it or not). You're in court to win your case. Give yourself every opportunity to make a good impression, including wearing nice clothing.

4. Do not call your opponent a "liar" in court.

Even if you ***know*** the opposite party is lying, do not call them a "liar" in court. Let the evidence you present before the judge prove what in fact really happened. In fact, do not address the other party directly at all. Make all of your statements, comments, and arguments to the judge and the court. Also, do not interrupt the other side. Let them finish and then ask the court for permission to address the other side's comment. Remember, you are being judged on everything you do, say and present before the judge. When you call someone else names, it reflects badly on ***you***.

5. Don't argue with the judge.

You may not like the judge's comments, but never argue with the judge. Additionally, do not interrupt the judge when they are speaking. However, it is okay for the judge to interrupt you and direct your case. The last thing you want to do is make the judge angry. Remember, not everything that **<u>you</u>** think is important to your case **is** important to your case. Always be courteous and polite when answering a judge's questions.

6. If you do not understand the judge's questions let them know

Judges will sometimes ask questions and will use "legalese." If you do not understand the question, say, "I'm sorry, your Honor, but I do not understand your question. Could you please rephrase your question?" Never answer a question you do not fully understand as you may unintentionally hurt your case. When you are asked a question, start your response with the short answer, yes, no, or I do not know and then the reason why. Also answer the question that you are actually asked, not the one you wanted the judge to ask.

7. Always refer to the judge as "Your Honor."

This is a formality of Court and the judge may expect you to refer to them in this manner. Additionally, it will demonstrate that you are a professional and respect the Court's position.

AND FINALLY . . .

Remember that Small Claims Court cases move very quickly. Sometimes it seems as though you don't have much of a chance to tell your side of the story. This is why it is ***so*** important to have lined up your witnesses, testimony, witness statements, and documents ahead of time. It may also help to practice presenting your evidence to friends or colleagues a few times. This may help to flush out some areas that you find you are struggling or help you to remember the facts a bit better. Your friends may also ask you questions to help you understand where you might have some holes in your argument or theory of the case.

You may also want to consult an attorney about your case before you go to Small Claims Court. While an attorney cannot represent you at the hearing, an attorney may help you prepare. The attorney may be able to point out legal issues or facts to help you that you may have overlooked or not been aware of. Additionally, they may help in refuting defenses if you are able to express the defendant's claims. There is no substitute for good legal advice.

In all cases that go to trial, one party wins and the other party loses. Unfortunately, there is no way anyone can guarantee that you'll win any given case. But if you are well- prepared, well-dressed, courteous and prompt, you will have done everything within your power to enable you to win. The only way to avoid a trial, is to settle the case.

WHAT TO DO AFTER THE COURT DECIDES YOUR SMALL CLAIMS CASE

See What to Do After the Court Decides Your Small Claims Case (Form SC-200-INFO) for information about what to do after the court decides your small claims case.

IF YOU LOSE . . .

If you are the plaintiff in a Small Claims you only get one shot at winning. You cannot appeal on the Plaintiff's Claim. However, if the defendant has filed a Defendant's Claim against you in the same case, and you lose on the Defendant's Claim, a plaintiff may appeal the judgment on the Defendant's Claim only.

If you are the defendant and you lose, you may file an appeal with the Small Claims Court.

You must file a Notice of Appeal (SC-140) in Small Claims Court within thirty (30) days from the date on the court's Notice of Entry of Judgment (Form SC-130). Make sure you do notmiss the time frame or your appeal will be denied. This means you need to take accountability and follow up with the court often to see if a judgment has been entered. It may be possible that the judgment was entered and mailed but may have gotten lost. You are responsible to make sure that your timeline to respond does not expire.

Appeals are heard in Superior Court. An attorney can appear with you at the appeal hearing. This appeal will be a trial de novo, which means the court will review all of the evidence again to see if the ruling was correct. You should therefore keep all of your evidence and ask the witnesses to appear again. You should turn this over to the attorney, if you hire one, and tell the attorney what evidence and arguments were made by the other side.

Because some Superior Court judges will order monetary sanctions against parties found to have filed a frivolous appeal, do not file an appeal for harassment or delay purposes.

COLLECTION

If you have been awarded a money judgment in your favor, Kimball, Tirey & St. John LLP's Collection Department can assist you with collection. Kimball, Tirey & St. John LLP's Collection Department can also assist you with collection of amounts even if you haven't been to court and don't have a judgment. The collection methods used differ depending upon whether or not you have a judgment. You can contact Kimball, Tirey & St. John LLP's Collection Department at (619) 234-1770 or (800) 575-1770 for more information.

FOR FURTHER INFORMATION ABOUT SMALL CLAIMS COURT

1. **Contact the court where you will be filing the Plaintiff's Claim**. While the courts cannot give legal advice, court clerks can answer certain questions and many courts distribute information about small claims actions.
2. **Contact your local Small Claims Advisors Office.**
3. **Get online help at the California Courts Self Help Center at** https://www.courts.ca.gov/selfhelp-smallclaims.htm.
4. **Consult with an attorney.** For legal advice, contact Kimball, Tirey & St. John LLP at (619) 234-1690.

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