

Small Claims Courts Questions and Answers

Who can sue, and who can be sued?

Any individual, business or corporation can sue another for up to \$5,000 in small claims court. Usually this must be filed in the county where the defendant (person being sued) lives.

How much does it cost to file a claim?

Depending on the region where you live it generally costs between \$14 and \$29.

How do I get started filing a case?

First fill out a “Notice of Small Claims Claim Form” available through website listed at the bottom. You will have to sign the Notice in the present of the clerk, unless otherwise instructed by the court. On the Notice hearing form the clerk will enter the hearing date, trial date or response date. A clerk will then help you serve the papers to the defendant.

What happens if you settle a dispute before you go to court?

In most cases, neither party is one hundred percent right or wrong. You are encouraged to try to settle your case before trial. If you settle the dispute before the hearing, you must inform the court so the hearing can be canceled and your case dismissed. If the other party agrees to pay at a later date, you may ask the court for a continuance. If the other party pays before the postponed date, ask the court to cancel the hearing. If you do not receive your money by the time of the continued hearing, proceed with the case in court.

How should I prepare for the trial?

To prepare for the trial, collect all papers, photographs, receipts, estimates, canceled checks, or other documents that concern the case. It may be helpful to write down ahead of time the facts of the case in the order that they occurred. This will help you to organize your thoughts and to make a clear presentation of your story to the judge. It is also a good idea to sit through a small claims court session before the date of your hearing. This will give you first-hand information about the way small claim cases are heard.

What Happens At The Trial?

When you arrive at the court, report to the courtroom in which your case has been assigned. When your case is called in the courtroom, come forward to the counsel table and the judge will swear in all the parties and witnesses.

Don't be nervous—remember that a trial in small claims court is informal. The judge will ask the plaintiff (the person filing the claim) to give his or her side first, then will ask the defendant for his or her explanation. Be brief and stick to the facts. The judge may interrupt you with questions, which you should answer straight out and to the best of your knowledge.

Be polite, not just to the judge, but also to your opponent. Do not interrupt. Whatever happens, keep your temper. Good manners and even tempers make a good impression. After both sides have been heard by the judge, he or she will normally announce the decision right then and will sign and hand the parties a judgment.

All forms for Washington State small claims court can be found at:

<http://www.courts.wa.gov/forms/?fa=forms.contribute&formID=33>

*All information is from

http://www.courts.wa.gov/newsinfo/resources/?altMenu=smal&fa=newsinfo_jury.scc