

James M. Swisher, Jr.
Clerk of Court – Columbia County
P.O. Drawer 2069
Lake City, FL 32056-2069
386-758-1047

SMALL CLAIMS INFORMATION

A small claims case is a legal action filed in county court to settle minor legal disputes among parties where the dollar amount involved is \$8,000 or less (EFFECTIVE JANUARY 1ST, 2020), excluding costs, interest, and attorneys' fees. The clerk of court can provide copies of appropriate forms, but we cannot provide ANY LEGAL ADVICE at any point in your case.

You, the Plaintiff, must file a "Statement of Claim" form with the Clerk's office. This form MUST be fully completed in all areas and must be signed and notarized upon arrival, or a VALID form of identification must be presented at the time of filing for a Deputy Clerk to sign and seal. If your claim is based upon written documentation, you must attach a copy of the contract and/or any other written documentation to the Statement of Claim form. Once a claim is filed, a court date will be assigned and a Summons or Notice to Appear in court will be issued. The plaintiff is responsible to locate the defendant and to furnish issued process to the proper Sheriff's Office (Sheriff's Fees: \$40 per summons served) within the State of Florida.

NOTE: Sheriff fees are a separate fee from the filing fee to the Clerk's office and is never made payable to the Clerk's Office. Appropriate forms of payment to the Sheriff's office are Cash, Money Order, Cashier's Check, Certified Check or Business Check. The Sheriff's office will **NOT** accept personal checks as a form of payment.

The court (Judge) requires an initial pre-trial conference to determine if there is a cause of action. During that pre-trial it is not uncommon for the judge to have the parties meet with a mediator in an effort to resolve problems without having a hearing/trial. If the dispute is settled, it goes to the judge for approval without delay. If the dispute remains unsettled, a trial date will be set by the clerk in court the date of the pretrial. If you cannot be present at the pretrial conference, an attorney may represent you, a continuance may be arranged between both parties, or a motion for continuance may be filed with the court.

If a small claims dispute goes to trial, the court will schedule a trial date and the parties must appear at the trial with all witnesses and documentation. At the trial, both parties will have an opportunity to explain the case to the judge. Witnesses will also have a chance to testify.

The judge will listen to both sides of the story and review the evidence, and witnesses' testimony before making a decision. Whatever the outcome, you will be sent a copy of the judge's ruling. If the Judgment is in your favor, it is up to you, the plaintiff, to collect. Please keep in mind winning your case and receiving a judgment DOES NOT mean you will obtain all of your money back.

Filing fees vary depending on the amount of the claim and are subject to annual change by legislative action. Please note: the fees are non-refundable but may be recovered later through the defendant if Plaintiff prevails.

Claims less than \$100	\$55.00
Claims \$100 to \$500	\$80.00
Claims \$500.01 to \$2,500	\$175.00
Claims \$2,500.01 to \$8,000	\$300.00

Please be advised, there will also be a \$10 Summons fee added to the above stated filing fees for the Clerk's Office.

For any additional questions please call the small claims department at
386-758-1047

PLEASE KEEP IN MIND THAT THIS DEPARTMENT CANNOT GIVE ANY LEGAL ADVICE OR INTERPRET THE LAW FOR YOU!

IN THE COUNTY COURT, COLUMBIA COUNTY, FLORIDA

CASE NO: _____ SP

Plaintiff
VS.

Defendant

TELEPHONE

TELEPHONE

STATEMENT OF CLAIM

- The Plaintiff sues the Defendant for money owed Plaintiff by Defendant and which is past due and unpaid for
- () Goods, wares and merchandise sold by Plaintiff to Defendant
 - () Work done and materials furnished by Plaintiff to Defendant
 - () Money loaned by Plaintiff to Defendant
 - () Money due to Plaintiff upon accounts stated and agreed to between them
 - () On a written instrument, copy of which is attached hereto
 - () Rent for those certain premises in Columbia County, Florida, viz: _____

(Address of Premises)

() Other Reason: _____

Wherefore Plaintiff demands judgment in the sum of \$ _____, and \$ _____ Court costs.

STATE OF FLORIDA
COUNTY OF COLUMBIA

The undersigned, being sworn, says that this is a true statement of the amount owed to the Plaintiff exclusive of setoffs.

Sworn to and subscribed before me this _____ day of _____, 2____, at Lake City, Florida.

James M. Swisher, Jr.
Clerk of said Court

Plaintiff or Agent

By: _____ D.C.

(SEAL)

Notary Public
Expiration Date:

Upon failure of Plaintiff to expedite this action, the Court will consider this case dismissed without further notice to either party. See Reverse Side for Further Instruction/Information/Affidavits

AFFIDAVIT OF PLAINTIFF

STATE OF FLORIDA
COUNTY OF COLUMBIA

Affiant, on oath, says the Defendant is not in the military service of the United States of America as defined by the Soldiers and Sailors Civil Relief Act of 1940, as amended and resides/works at the address shown.

Affiant

Sworn to and subscribed before me this _____ day of _____, at Lake City,
Florida.

(SEAL)

Deputy Clerk or Notary Public

Case Number: _____

ACKNOWLEDGEMENT of PRO SE LITIGANT

While the Clerk's Office has strongly encouraged me to seek legal guidance with the above referenced case, I am electing to move forward as a pro se litigant at this time.

As a pro se litigant I understand the following:

- I am representing myself instead of having an attorney represent me
- I alone must know the laws and rules pertaining to this case in order to represent myself
- As a pro se litigant that I will not be able to obtain any type of legal guidance whatsoever from the Clerk's Office staff.

Dated this ___ day of _____, 20__.

IN THE COUNTY/CIRCUIT COURT OF THE THIRD JUDICIAL
CIRCUIT IN AND FOR COLUMBIA COUNTY, FLORIDA

Plaintiff/ Petitioner/State

v.

CASE NO: _____

DIVISION: _____

Defendant/ Respondent

**DESIGNATION OF E-MAIL ADDRESS FOR A PARTY
NOT REPRESENTED BY AN ATTORNEY [FORM 2.602]**

Pursuant to Fla. R. Gen. Prac. & Jud. Admin. 2.516(b)(1)(C),
I, _____, designate the e-mail address(es) below for
electronic service of all documents related to this case.

By completing this form, I am authorizing the court, clerk of court, and all parties to send copies of notices, orders, judgments, motions, pleadings, or other written communications to me by e-mail or through the Florida Courts E-filing Portal.

I understand that I must keep the clerk's office and any opposing party or parties notified of my current mailing address or e-mail address. I will file a written notice with the clerk if my mailing address or e-mail address changes again.

Designated e-mail address: _____

Secondary designated e-mail address(es), if any: _____

I certify that a copy has been furnished on _____, by e-mail, delivery,
 mail [choose one] to: Clerk of Court for Columbia County, and to:

(insert name(s) and address(es))

Signature: _____

Printed Name: _____

E-mail address: _____

Address: _____

Phone number: _____