

Small Claims Filing Information

Please read **ALL** of the information carefully **BEFORE** filling out the Notice of Small Claim. Please note that both the top AND bottom portions of the form need to be completed, and you need to sign and date the form for it to be valid. The Court will fill in the trial date and will assign a Small Claim Number. If you have any questions not answered in the information provided, call the court at 206-205-9200 between the hours of 8:30 a.m. and 4:30 p.m. Pacific Standard Time, Monday through Friday. A clerk will be happy to answer your **non-legal** questions.

The original of the completed Notice of Small Claim should be returned to the court with a check or money order in the amount of \$35.00 payable to King County District Court and a large (9" x 12"), self-addressed, stamped envelope with \$1.05 cents postage. Please make sure the form is legible and all necessary information has been completed.

Upon receipt of the form and check, the Court will assign a case number and trial date, and will use the envelope you provide to send you two copies of the Notice of Small Claims (with case number and trial date added – one copy for the defendant and one copy for you). Defendants must be served with the copy of the claim, the Notice Regarding Active Duty in Military Service, and the Dispute Resolution materials.

Due to the large volume of Small Claims cases, we cannot accommodate any requests for specific trial dates. Please note that Small Claims is people's court and our clerks are unable to answer any legal questions – it is your responsibility to read the provided material and follow the instructions for filing your Claim.

KING COUNTY DISTRICT COURT

CIVIL DEPARTMENT

PLAINTIFF NAME	SMALL CLAIM #
ADDRESS	NOTICE OF SMALL CLAIM
CITY STATE ZIP	
DAYTIME PHONE NO.	
1 ST DEFENDANT NAME	
2 ND DEFENDANT NAME	
ADDRESS	ADDRESS
CITY STATE ZIP	CITY STATE ZIP
DAYTIME PHONE NO.	DAYTIME PHONE NO.

CLAIM

I, _____, the undersigned plaintiff, do hereby certify under the penalty of perjury of the laws of the State of Washington, that the defendant named above owes me the sum of \$_____, which became due and owing on _____.

(Amount of claim limited to \$5,000)

The amount owed is for:

<input type="checkbox"/> Auto Damages – Date of Accident	<input type="checkbox"/> Wages	<input type="checkbox"/> Loan
<input type="checkbox"/> Return of Deposit	<input type="checkbox"/> Rent	<input type="checkbox"/> Property Damage
<input type="checkbox"/> Merchandise	<input type="checkbox"/> Other	<input type="checkbox"/> Faulty Workmanship

You must explain reason for claim here: _____

Note: You must properly serve this Notice on the Defendant.

_____ Clerk	/_____ Location	Signature: _____
Date Issued: _____		Date: _____
		Printed Name/Title: _____

NOTICE TO DEFENDANT

You are hereby directed to appear personally in King County District Court:

On: _____ Time: _____

Be ready for trial. If you do not appear, judgment may be rendered against you for the amount stated above, and, for the filing of this action plus costs of service of this notice.

DisputeResolution

CENTER of KING COUNTY

Dear Small Claims Court Case Parties:

A small claims action involving you has been filed in the King County District Court.

The Court strongly encourages you to settle this suit through mediation and has arranged for the *Dispute Resolution Center of King County (DRC)* to provide this assistance at no cost to either of you. To set up a mediation call (206) 443-9603.

The DRC is a non-profit organization that has provided free or low-cost conflict resolution & mediation services to the community since 1987. **The DRC is not part of the court system.**

IF YOU NEED TO CONTACT THE COURT, PLEASE CALL (206) 205-9200.

How Do I Set Up a Mediation?

TO RESOLVE THIS DISPUTE OUTSIDE OF COURT, CALL THE DRC IMMEDIATELY at 206-443-9603. The more time we have before to your trial date, the better. Otherwise, on the day of your hearing, the DRC has mediators available at the courtroom to conduct mediations before the trial

What is Mediation?

- **Mediation is a free, voluntary and confidential** meeting between you, the other party, and a professionally trained, neutral mediator.
- The mediator helps parties work together to create mutually agreeable solutions without offering legal advice or an evaluation of the case.
- If agreements are made, the mediator will write up the agreement using the parties' own words, and both will leave the mediation with a contract.
- Choosing to mediate does not affect your right to a trial if you are unable to reach an agreement with the other party.
- If one of the parties does not follow the agreement, this document can be presented to the court with the request that it be converted into an enforceable judgment.

Why Should I Choose Mediation?

- Mediation enables **parties to determine the outcome** of their conflict, rather than being forced to accept a judgment that may leave everyone unsatisfied.
- Unlike a court proceeding, **mediation is confidential** & does not become part of the public record.
- Courts are limited to granting or denying monetary judgments. **Mediation is much more flexible.**
- With a mediated agreement, a party may agree to complete a job, return an item of property, or pay money back using a payment plan.

We look forward to hearing from you and appreciate your interest in our services!

King County Court: (206) 205-9200

Dispute Resolution Center: (206) 443-9603

The Dispute Resolution Center of King County

4649 Sunnyside Ave. N, Suite 520 ~ Seattle, WA 98103 ~ Phone: 206-443-9603 ~ Fax: 206-443-9737 ~ www.kcdrc.org
(Revised 09/24/2009)

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IMPORTANT NOTICE
REGARDING ACTIVE DUTY MILITARY SERVICE AND
DEPENDENTS

State and federal law provide protections to defendants who are on active duty in the military service, and to their dependents. Dependents of a service member or the service member's spouse, the service member's minor child, or an individual for whom the service member provided more than one-half of the individual's support for one hundred eighty days immediately preceding an application for relief.

One protection provided is the protection against the entry of a default judgment in certain circumstances. This notice only pertains to a defendant who is a dependent of a member of the national guard or a military reserve component under a call to active service for a period of more than thirty consecutive days. Other defendants in military service also have protections against default judgments not covered by this notice. If you are active duty military or the dependent of a member of the national guard or a military reserve component under a call to active service for a period of more than thirty consecutive days, **you should notify the plaintiff or the plaintiff's attorneys in writing of your status as such within twenty days of the receipt of this notice.** If you fail to do so, then a court or an administrative tribunal may presume that you are not a dependent of an active duty member of the national guard or reserves, and proceed with the entry of an order of default and / or a default judgment without further proof of your status. Your response to the plaintiff or plaintiff's attorneys about your status does not constitute an appearance for jurisdictional purposes in any pending litigation nor a waiver of your rights.

Small Claims Instructions for Defendants

You have received a Notice of Small Claim. This means you are being sued for money damages. You should have also received a copy of the Notice Regarding Active Duty in the Military Service and a copy of the materials from the Dispute Resolution Center. You may be served either by certified mail or by personal service [process server or other person over age 18]. Court rules require you to be served with the Notice of Small Claim at least 10 days before the trial date. If you are served within the State of Washington less than 10 days before your trial date you may:

- Write the court requesting a continuance. You must also send a copy of your request to the plaintiff(s). The court will rule on your request. If there is very little time before the trial, you should be sure to give the court a phone number or e-mail address where you can be reached.
- Appear in court and request a continuance on the date of the trial.
- Appear in court and give up your right to 10 days notice and proceed with the trial.

If you do not wish to contest the plaintiff's claim you may:

- Settle with the plaintiff out of court before the trial date. The plaintiff must notify the court in writing that the case has been settled.
- Come to court and use the services of the Dispute Resolution Center and mediate a settlement on the day of trial. The Court urges you to review the information from the Dispute Resolution Center and consider using these valuable services.
- Choose not to appear in court on the trial date. If the plaintiff has sufficient proof of the claim, a judgment may be entered against you for the amount of the claim plus the costs of service of process and the filing fee.

If you believe you also have a claim against the plaintiff you may file a counterclaim. This must be done in writing on the form available at the court or from the court's web site. [www.kingcounty.gov/courts/DistrictCourt] The counterclaim must be filed with the court and you must pay a filing fee. Your counterclaim must be served on the plaintiff by certified mail or personal service [process server or other person over age 18] prior to the trial date. When you appear in court you must bring with you the affidavit of service on the other party.

You may bring witnesses and documents with you to the trial.

The judge will decide which witnesses and documents will be considered in the case. You will have a limited time to present your side of the case as the court usually sets 10 to 12 cases on each calendar. Please keep this in mind when preparing your case.

If the judge makes a finding in favor of either party, the judgment amount, plus any costs awarded, must be paid within 30 days of the date of the judgment. Payments must be made directly to party who was awarded the judgment. When the judgment is paid in full, the party receiving the payment must sign a Satisfaction of Judgment and file it with the court. If the judgment is not paid, other costs and fees may be added to the judgment and other legal action may be taken to collect the judgment.

If you contact the court regarding this matter you must use the case number on the Notice of Small Claim. The court clerks and judges cannot give you any legal advice to assist you with your case or tell you how to proceed.