

## INSTRUCTIONS

The following items are required when filing a small claims case in Leon County. You may bring or mail your completed forms and payment to the Leon County Clerk of Court and Comptroller, 301 South Monroe Street, Room 100, Tallahassee, FL 32301.

- 1. Statement of Claim with attachments.** 1 original and 1 copy for each defendant being served.
  
- 2. Summons/Notice To Appear for Pretrial Conference/Mediation.**
  - Two copies must be provided for issuance for each defendant being sued. If you want a copy, provide an additional copy and a self-addressed stamped envelope.
  - The summons/notice to appear must be served, along with a copy of the claim, by a certified process server, which can be the Sheriff's Office or a process server of your choice. Service of process on only Florida residents may also be effected by certified mail – return receipt signed by the defendant, or someone authorized to receive mail at the residence or principal place of business of the defendant. Either the Clerk's Office or an attorney of record may send the certified mail; if the Clerk's Office sends it, the party must pay this cost in addition to the filing fee.
  - You should check your case before the hearing date to insure that proper service has been made so that the case can proceed, by using our website or by calling our office at 850-606-4110.
  
- 3. Payment in the appropriate amount for the filing fee.**
  - Each claim less than \$100 \$ 55.00
  - Each claim of \$100 but no more than \$500 \$ 80.00
  - Each claim of \$500 but no more than \$2,500 \$175.00
  - Each claim of \$2,500 but no more than \$300.00  
\$8,000
  
- 4. Payment in the appropriate amount for issuance of summons.** \$10 for each summons issued by the Clerk's Office.

IN THE COUNTY COURT OF THE SECOND JUDICIAL CIRCUIT, IN AND FOR LEON COUNTY, FLORIDA

CASE NO. \_\_\_\_\_

PLAINTIFF

DEFENDANT

ADDRESS

ADDRESS

CITY, STATE, ZIP CODE

VS

CITY, STATE, ZIP CODE

TELEPHONE: \_\_\_\_\_

TELEPHONE: \_\_\_\_\_

STATEMENT OF CLAIM

Plaintiff(s), \_\_\_\_\_, sues Defendant(s), and alleges:

- 1. This is an action for damages which does not exceed \$8,000.00.
- 2. Plaintiff(s) claims the amount of \$\_\_\_\_\_ with interest from \_\_\_\_\_, as being due from said Defendant(s), and alleges as the basis of such suit:

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(Please attach additional page if necessary)

WHEREFORE, Plaintiff demands judgment in the amount of \$\_\_\_\_\_, plus all costs of this action.

Date

Plaintiff or Agent

IN THE CIRCUIT/COUNTY COURT OF THE SECOND JUDICIAL CIRCUIT,

IN AND FOR LEON COUNTY, FLORIDA

Case No: \_\_\_\_\_

\_\_\_\_\_  
*Plaintiff(s)*

vs

\_\_\_\_\_  
*Defendant(s)*

## **SUMMONS/NOTICE TO APPEAR FOR PRETRIAL CONFERENCE**

**“due to COVID-19”**

**Refer to page 4 of this summons for COVID-19 PRETRIAL CONFERENCE COURT APPEARANCE PROCEDURES.**

STATE OF FLORIDA - NOTICE TO PLAINTIFF(S) AND DEFENDANT(S)

*(Name & address of Defendant(s) to be Served)*

YOU ARE HEREBY NOTIFIED that you are required to appear or by attorney at the PRETRIAL CONFERENCE on \_\_\_\_\_, at \_\_\_\_\_ a.m. before a Judge of this court. **DO NOT APPEAR IN PERSON AT THE COURTHOUSE or Courthouse Annex. THE COURTHOUSE AND COURTHOUSE ANNEX ARE CLOSED DUE TO COVID-19.** However, arrangements have been made to address your case by use of remote technology.

**TO ENSURE YOUR ATTENDANCE AT THE SCHEDULED REMOTE HEARING:** All parties are required to immediately submit to the Clerk of Court current telephone and e-mail contact information together with your case number and continue to up-date this information as changes occur. This can be done by filling out and providing to the Clerk the [DESIGNATION OF CURRENT MAILING AND E-MAIL ADDRESS FORM](#).

**IMPORTANT -- READ CAREFULLY**

**THE CASE WILL NOT BE TRIED AT THE PRETRIAL CONFERENCE**

**DO NOT BRING WITNESSES.**

The defendant(s) must appear on the date specified in order to avoid a default judgment. The plaintiff(s) must appear to avoid having the case dismissed for lack of prosecution. A written MOTION or ANSWER to the court by the plaintiff(s) or the defendant(s) shall not excuse the appearance of a party or its attorney in the PRETRIAL CONFERENCE. The date and time of the pretrial conference CANNOT be rescheduled without good cause or prior court approval.

A corporation may be represented at any stage of the trial court proceedings by an officer of the corporation or any employee authorized in writing by an officer of the corporation. Written authorization must be submitted not later than the Pretrial Conference.

The purpose of the pretrial conference is to record your appearance or determine if you admit all or part of the claim, to enable the court to determine the nature of the case, and to set the case for trial if the case cannot be resolved at the pretrial conference. You or your attorney should be prepared to confer with the court and to explain briefly the nature of your dispute, state what efforts have been made to settle the dispute, exhibit any documents necessary to prove the case, state the names and addresses of your witnesses, stipulate to the facts that will require no proof and will expedite the trial, and estimate how long it will take to try the case.

Mediation may take place at the pretrial conference. Whoever appears for a party must have full authority to settle. Failure to have full authority to settle at this pretrial conference may result in the imposition of costs and attorney fees incurred by the opposing party.

If you admit the claim, but desire additional time to pay, you must come and state the circumstances to the court. The court may or may not approve a payment plan and withhold judgment or execution or levy.

**RIGHT TO VENUE.** The law gives the person or company who has sued you the right to file in any one of several places as listed below. However, if you have been sued in any place other than one of these places, you, as the defendant(s) have the right to request that the case be moved to a proper location or venue. A proper location or venue may be one of the following: [1] where the contract was entered into; [2] if the suit is on unsecured promissory note, where the note is signed or where the maker resides; [3] if the suit is to recover property or to foreclose a lien, where the property is located; [4] where the event giving rise to the suit occurred; [5] where any one or more defendant(s) sued reside; [6] any location agreed to in a contract; [7] in an action for money due, if there is no agreement as to where suit may be filed, where payment is to be made.

If you as the defendant(s) believe the plaintiff(s) has/have not sued in one of these correct places, you must appear on your court date and orally request a transfer or you must file a WRITTEN request for transfer, in affidavit form (sworn to under oath) with the court 7 days prior to your first court date and send a copy to the plaintiff(s) or plaintiff's(s') attorney, if any.

A copy of the statement of claim shall be served with this summons.

DATED ON \_\_\_\_\_

GWEN MARSHALL

Clerk of the Circuit Court and Comptroller



By: \_\_\_\_\_

Deputy Clerk

**If you are a person with a disability who needs any accommodation in order to participate in this proceeding, you are entitled, at no cost to you, to the provision of certain assistance. Please contact Court Administration, 301 S Monroe St., Room 214, Tallahassee, FL 32301, (850) 606-4401 at least 7 days before your scheduled court appearance, or immediately upon receiving this notification if the time before the scheduled appearance is less than 7 days; if you are hearing or voice impaired, call 711.**