

## **PREPARING FOR SMALL CLAIMS PRETRIAL**

1. Come to court with **full settlement** authority.
2. Bring to court motions for continuances and orders for judge's signature. See Attachment 1.
3. Bring stipulations with judge's signature block:

MEDIATED AGREEMENT/STIPULATION  
APPROVED ON \_\_\_\_\_.

\_\_\_\_\_  
COUNTY JUDGE

4. If more than five cases are scheduled (and there are no stipulations and no continuances requested), either bring additional personnel for mediation or have additional personnel available by telephone.
5. Bring **signed and sworn:**
  - a. court costs and damages affidavit for each case scheduled. See Attachment 2.
  - b. non-military affidavit for each case scheduled. See Attachment 2A.
6. Bring original contracts (if applicable).
7. Bring proposed final judgments for each case scheduled. See Attachment 3.
8. Bring self-addressed stamped envelope(s) for mailing judgment/order to Defendant(s).

## **PREPARING FOR JUDGMENTS ON DEFAULT OF STIPULATION/AGREEMENT**

1. Submit to court Affidavit of Non-Compliance with Agreement/Stipulation. See Attachment 4.
2. Submit proposed Final Judgment. See Attachment 5.
3. Submit with proposed order self-addressed stamped envelope(s) for mailing judgment/order to Defendant(s).

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

CASE NO.

\_\_\_\_\_,  
Plaintiff(s),

vs.

\_\_\_\_\_,  
Defendant(s).

**ORDER ON MOTION**

Plaintiff / Counsel present

Plaintiff / Counsel not present

Defendant / Counsel present

Defendant / Counsel not present

Determined by judge without a hearing.

**THIS CAUSE** was heard or considered on Plaintiff's/ Defendant's Motion

\_\_\_\_\_  
It is **ORDERED AND ADJUDGED** that the Motion is **GRANTED /**  
**DENIED.**

\_\_\_\_\_  
**DONE AND ORDERED** at Tallahassee, Florida on

\_\_\_\_\_  
COUNTY JUDGE

Copies to:

Plaintiff / Plaintiff's Counsel

Defendant / Defendant's Counsel

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

CASE NO.

\_\_\_\_\_  
Plaintiff(s),

vs.

\_\_\_\_\_  
Defendant(s).

**AFFIDAVIT OF DAMAGES**

STATE OF FLORIDA,  
COUNTY OF LEON.

BEFORE ME, the undersigned authority, personally appeared  
\_\_\_\_\_, who being first  
duly sworn, says:

1. I am the [ ] Plaintiff(s) or [ ] Plaintiff's agent in this case and am authorized to make this statement.
2. This statement is based on my own personal knowledge.
3. Defendant(s) owes the Plaintiff(s) the following amounts for the following reasons:

AMOUNTS

REASONS

\$ \_\_\_\_\_

\_\_\_\_\_

\$ \_\_\_\_\_

\_\_\_\_\_

\$ \_\_\_\_\_

\_\_\_\_\_

\$ \_\_\_\_\_

\_\_\_\_\_

\$ \_\_\_\_\_

\_\_\_\_\_

TOTAL \$ \_\_\_\_\_  
(attach additional page if necessary)

Dated this \_\_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_.

\_\_\_\_\_  
(Signature) (Printed Name)

The foregoing instrument was acknowledged before me this \_\_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_, by \_\_\_\_\_, who is personally known to me or who has produced \_\_\_\_\_ as identification and who did [ ] did not [ ] take an oath.

GWEN MARSHALL  
Clerk of Court, Leon County

By: \_\_\_\_\_  
Deputy Clerk/Notary

\_\_\_\_\_  
(Printed Name)

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

CASE NO.

\_\_\_\_\_,  
Plaintiff,

vs.

\_\_\_\_\_,  
Defendant.

**NON-MILITARY AFFIDAVIT**

STATE OF FLORIDA  
COUNTY OF LEON

Personally appeared before me the undersigned authority authorized to take oaths and acknowledgments in the State and County aforesaid, \_\_\_\_\_, who being by me first duly sworn did state as follows:

1. That the undersigned is personally familiar with the Defendant \_\_\_\_\_ in the above styled matter.
2. That, to the best of the affiant's belief and information, Defendant is not in the service of the armed forces of the United States and is not entitled to the relief afforded by the Soldiers and Sailors Civil Relief Act of 1940, 50 U. S. C. §§ 501 et seq.
3. (Include statement of location and occupation of Defendant to support non-military service claim.)
4. (Include statement of age or disability of Defendant to support non-military service claim.)

FURTHER AFFIANT SAYETH NAUGHT.

\_\_\_\_\_  
AFFIANT

STATE OF \_\_\_\_\_  
COUNTY OF \_\_\_\_\_

The foregoing instrument was acknowledged before me this \_\_\_\_\_ day  
of \_\_\_\_\_, \_\_\_\_\_, by \_\_\_\_\_,  
who is personally known to me or who has produced \_\_\_\_\_  
as identification and who did [ ] did not [ ] take an oath.

\_\_\_\_\_  
Notary Public, State of Florida

\_\_\_\_\_  
(Printed Name)

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

CASE NO.

\_\_\_\_\_  
Plaintiff(s),

vs.

\_\_\_\_\_  
Defendant(s).

**FINAL JUDGMENT FOR PLAINTIFF**  
**(Default)**

This case came before the Court on the Plaintiff's complaint which was duly served upon the Defendant(s) and notice given for this scheduled pre-trial. The Defendant(s) failed to appear.

It is therefore **ORDERED AND ADJUDGED** that \_\_\_\_\_  
\_\_\_\_\_, Plaintiff(s), recovers from Defendant(s), \_\_\_\_\_  
\_\_\_\_\_, the sum of \$ \_\_\_\_\_ as principal,  
\$ \_\_\_\_\_ as pre-judgment interest, \$ \_\_\_\_\_ for attorney's  
fees, with costs of \$ \_\_\_\_\_ for filing fees and \$ \_\_\_\_\_  
for service of process, all of which shall bear interest at the rate of \_\_\_\_\_ percent  
(\_\_%), for all of which let execution issue.

**DONE AND ORDERED** at Tallahassee, Florida on \_\_\_\_\_,  
\_\_\_\_\_.

\_\_\_\_\_  
COUNTY JUDGE

Copies furnished to:

PLAINTIFF / PLAINTIFF'S COUNSEL  
DEFENDANT / DEFENDANT'S COUNSEL

Plaintiff(s)'s address:

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Defendant(s)'s last known address and Social Security Number (if known):

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

CASE NO.

\_\_\_\_\_  
Plaintiff(s),

vs.

\_\_\_\_\_  
Defendant(s).

**AFFIDAVIT OF NON-COMPLIANCE WITH  
STIPULATION/AGREEMENT**

STATE OF \_\_\_\_\_  
COUNTY OF \_\_\_\_\_

BEFORE ME, the undersigned authority, personally appeared,  
\_\_\_\_\_,  
to me well known, who has personal knowledge after being duly sworn, deposes  
and says that:

1. I am the records custodian for the Plaintiff(s) and I am in full charge  
and familiar with the books and accounts of Plaintiff(s). I have ascertained that the  
above-named Defendant(s) is/are justly and duly indebted to the said Plaintiff(s) at  
the time of filing the lawsuit for the sum of \$ \_\_\_\_\_, plus  
prejudgment interest in the sum of \$ \_\_\_\_\_, for a total sum  
sued upon of \$ \_\_\_\_\_.

2. Affiant further states that Defendant(s) have failed to comply with said  
Stipulation.

3. Further Affiant states that the sum of \$ \_\_\_\_\_ is still due  
and owing.

4. The Plaintiff moves this Court for entry of a Final Judgment against

Defendant(s), \_\_\_\_\_  
without further notice.

\_\_\_\_\_  
AFFIANT

STATE OF \_\_\_\_\_  
COUNTY OF \_\_\_\_\_

The foregoing instrument was acknowledged before me this \_\_\_\_\_ day  
of \_\_\_\_\_, \_\_\_\_\_, by \_\_\_\_\_,  
who is personally known to me or who has produced \_\_\_\_\_  
as identification and who did [ ] did not [ ] take an oath.

\_\_\_\_\_  
Notary Public, State of Florida

\_\_\_\_\_  
(Printed Name)

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

CASE NO.

\_\_\_\_\_  
Plaintiff(s),

vs.

\_\_\_\_\_  
Defendant(s).

**FINAL JUDGMENT**  
**(Non-Compliance with Agreement/Stipulation)**

**THIS CAUSE** having come before the Court on Plaintiff(s)'s Affidavit of Defendant(s)'s default on the agreement/stipulation previously entered into between the parties, and the Court being otherwise fully advised in the premises, it is hereby

**ADJUDGED** that Plaintiff(s) \_\_\_\_\_, whose address is \_\_\_\_\_, recovers from Defendant, \_\_\_\_\_, whose Social Security Number is \_\_\_\_\_, and Defendant \_\_\_\_\_, whose Social Security Number is \_\_\_\_\_, the sum of \$ \_\_\_\_\_, for which let execution issue.

All amounts awarded in the judgment will accrue interest at the rate of \_\_\_\_\_ percent (\_\_\_\_%) per annum from \_\_\_\_\_ until paid in full.

**DONE AND ORDERED** at Tallahassee, Florida on \_\_\_\_\_,

\_\_\_\_\_.

\_\_\_\_\_  
COUNTY JUDGE

Copies furnished to:

PLAINTIFF / PLAINTIFF'S COUNSEL  
DEFENDANT / DEFENDANT'S COUNSEL

Plaintiff(s)'s address:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Defendant(s)'s last known address:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_