



## **GET READY FOR SMALL CLAIMS COURT**

### **Where will my small claims hearing be?**

The date, time, and location of your hearing will be on the [Petitioner's Claim and Order to Go Small Claims Court](#) (Form SC-100). **Get to the courtroom 15 minutes early.** Look for your case on the calendar outside the courtroom. (If you do not see your case on the calendar, tell the clerk.) Check in with clerk, sit down, and wait for your case to be called. Do not leave the courtroom or you may lose your case if you are not there when called.

### **Can I bring an attorney to represent me?**

No. You cannot have an attorney represent you in Small Claims Court.

### **Can I postpone the hearing?**

If you cannot make it to your hearing and want a postponement, you must fill out a [Request to Postpone Trial](#) (Form SC-150). You must file your request to postpone at least 10 days before your scheduled hearing. You have to pay a \$10.00 fee. You must have a good reason to postpone such as:

- Medical Emergency
- Death in the family
- Jury duty
- More time to find an interpreter

If the Judge agrees to postpone, the clerk will mail you a form with the new date and time.

**Important!** Be ready on the original date in case the Judge decides not to postpone your hearing.

### **What will happen at my hearing?**

When the Judge calls your name, go to the front of the room. The Judge may ask you to try to settle your case before the hearing begins. The Plaintiff will speak first once the hearing begins.

### **What if I don't speak English?**

The Court is not required to provide an Interpreter. If you do not speak English well, bring someone who can interpret for you. If you do not have someone to interpret for you, you should ask for an interpreter the day you file your papers.

### **How do I tell my story to the Judge?**

**Prepare ahead of time!** Write down a summary of facts and evidence that support your case. It is your job to prove your case. Bring documentation (evidence) to support your position. For example:

- Contracts
- Estimates (bring at least 2)
- Bills
- Photos
- Diagrams
- Police reports
- Witnesses (bring people who saw what happened or who are experts on that subject)

- Declarations (bring declarations from witnesses who cannot make it to the hearing)

If you get nervous at your hearing, you can read your summary that you prepared ahead of time.

### **Do I have to explain the amount of my claim?**

Yes. If you are the Plaintiff, write down how you calculated the amount and bring an extra copy for the Judge.

If you are the Defendant and you think the Plaintiff's claim is too high, be prepared to explain why to the Judge.

### **What if I do not go to the hearing?**

If you are the Defendant (the person being sued) and you received proper notice, but do not go to the hearing, the Judge will still hear the case.

If you are the Plaintiff (the person suing) and you do not go, the Judge may reschedule your hearing, dismiss the case, or decide in favor of the defendant (a default Judgment)

### **What happens after the hearing?**

The Judge will make a decision (Judgment) on your case. It will be mailed to you in 2-4 weeks. If you do not receive a decision in 4 weeks, call the court clerk.

If you receive a decision that is in your favor, please see the handout entitled:

[Small Claims-How to Collect Your Money After You win Your Case.](#)

### **How can I get more help?**

The Small Claims Legal Advisor can answer your questions about your case and assist with your forms. For the Small Claims Advisor's Onsite Schedule, please contact your local courthouse or go to:

<http://www.riverside.courts.ca.gov/selfhelp/smclaadvisorcal.pdf>

For the Small Claims Workshop Calendar go to:

[http://www.riverside.courts.ca.gov/cal\\_rivcivilselfhelp.pdf](http://www.riverside.courts.ca.gov/cal_rivcivilselfhelp.pdf)

You can also reach the Small Claims Legal Advisor by telephone at:

Riverside: (951) 274-4499

Desert Region: (760) 393-2163, or

By E-mail at:

[smallclaimsadvisory@riverside.courts.ca.gov](mailto:smallclaimsadvisory@riverside.courts.ca.gov)



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Self-Help Center