



Preparing for a Small Claims Trial

In-Court Consultations

If you would like to meet with a Small Claims Advisor for specific questions regarding your case please visit the following website for the Small Claims Advisor Calendar:

www.riverside.courts.ca.gov/selfhelp/smclaadvisorcal.pdf

Small Claims Telephone Advisory

For telephone assistance please contact the Small Claims Advisor at:

(951) 274-4499 Riverside

(760) 393-2163 Desert Area

You may also e-mail the Advisory at:

smallclaimsadvisory@riverside.courts.ca.gov



Take control: Plan what you are going to say

As a plaintiff you will explain to the judicial officer why you are filing the claim:

- First, provide evidence to support the claim (facts);
 - Have a one page outline of the facts of the case
- Second, tell the judicial officer what you want him or her to order.

As a defendant you will explain your defense to the judicial officer:

- First, state whether you owe the plaintiff any money;
- Second, provide evidence to support your defense.
- If you are filing a counterclaim, you will need to provide evidence to support the claim.

Prepare your evidence

Take evidence to the trial to prove your case.

- Organize your evidence in a binder
 - Highlight important facts;
 - If pictures are provided, they should be as clear as possible.
- Bring originals and two copies of your evidence.
 - The original is for the judicial officer, and
 - A copy should be provided prior to trial to all parties

Types of evidence include:

- Contracts;
- Estimates (at least two);
- Receipts / Invoices;
- Photographs / Diagrams; and
- Declarations (from witnesses).

Take witnesses

A witness is someone who saw what happened, or is an expert on the subject matter. If the witness will not attend voluntarily, file a small claims subpoena (form SC-107) for the court to order the witness to appear. If requested, you may have to pay witness fees.

Practice

Most importantly, **PRACTICE** what you will be presenting on the day of the trial. Before the trial:

- Attend a small claims trial at the courthouse where your case will be heard and observe how small claim trials are handled;
- Rehearse your case to a friend or family member.