

Information Form for Parties

FILING A SMALL CLAIMS/DEBT CLAIM SUIT

JURISDICTION:

Small Claims Cases:

A small claims case is a lawsuit brought for the recovery of money damages, civil penalties, personal property, or other relief allowed by law. The claim can be for no more than \$10,000.00, excluding statutory interest and court costs but including attorney fees, if any. Small claims cases are governed by Rules 500-507 of Part V of the Rules of Civil Procedure.

Debt Claim Cases:

A debt claim case is a lawsuit brought to recover a debt by an assignee of a claim, a debt collector or collection agency, a financial institution, or a person or a person or entity primarily engaged in the business of lending money at interest. The claim can be for no more than \$10,000.00, excluding statutory interest and court costs but including attorney fees, if any. Debt claim cases in justice court are governed by Rules 500-507 and 508 Part V of the Rules of Civil Procedure.

VENUE:

General Rule. Generally, a defendant in a small claims case or a debt claim case is entitled to be sued in one of the following venues:

1. The county and precinct where the defendant resides;
2. The county and precinct where the incident, or the majority of incidents, that gave rise to the claim occurred;
3. The county and precinct where the contract or agreement, if any, that gave rise to the claim was to be performed; or
4. The county and precinct where the property is located, in a suit to recover personal property.

FILING SUIT:

The responsibility for filling out your petition and civil case information sheet rests with you. Court clerks will assist you if you have procedural questions. The filing fee is forty-one (\$46.00) and the service fee is one hundred (\$125.00) per defendant to be served in Bee County, for a total of \$171.00. If the defendant(s) resides outside of Bee County, contact the court for service fees of other counties.