SMALL CLAIMS PACKET NASSAU COUNTY, FLORIDA FOURTH JUDICIAL CIRCUIT

Robert M. Foster Justice Center

76347 Veterans Way

Yulee, FL 32097

904-548-4606

What is a small claims case?

A small claims case is a legal action filed in County Court to settle minor legal disputes among parties where the dollar amount involved is greater than \$0 but less than \$8,000 excluding costs, interest and attorney fees. Small claims cases should be filed in the County Civil department located at the Clerk of Court's Office. You can obtain information from the Clerk in the preparation of your claim by visiting our office during scheduled business hours, 8:30am-5:00pm, Monday through Friday.

Do I need an attorney?

You are not required to have an attorney. Clerk's office personnel will provide you with the necessary forms for filing a small claims case. However, it is recommended that you seek legal aid if you have questions about civil cases.

How much does it cost to file a new case?

Filing fees for Small Claims actions are determined by Florida Statutes and are subject to change by legislative action. Fees also vary in accordance with the dollar amount of your claim and the type of action. Please see the attached fee schedule for more information.

Summons and Service Fees:

Your summons must be served by an approved Process Server or by certified mail. If the defendant does not reside in Nassau County, you must contact the Sheriff in the county in which they reside for service instructions and fees.

If you desire to have your summons served by Certified Mail, you must pay the postal charges incurred by the Clerk. This option is only available for defendants that reside in the state of Florida.

If the defendant is not served, you may attempt service again by obtaining an alias summons from the Clerk. A fee of \$10.00 for each defendant is required for the issuance of an alias summons.

What information do I need to file my case?

The first step is deciding if you want to move forward with your case. Remember, you must prove that the person or business you are suing owes you something. Do you have proof of the debt such as a receipt, note, bill of sale, warranty or a witness? In deciding to sue, consider whether you have any evidence. In addition, in order for the court to pass Judgment in your case, you have to sue the correct entity. The person you file the claim against is called the "defendant." If the defendant owns a business which is a sole proprietorship (not incorporated), and your claim is against the business, you may sue the person and the trade name he or she does business under in the county where the owner resides, regardless of where the business is located. You can get the correct corporate name and the registered fictitious names of any Florida corporation by visiting www.sunbiz.org

If the defendant is a corporation, you must sue the corporation rather than someone who works for the corporation. Please note: the Clerk's office cannot give you legal advice. The Clerk's office cannot tell you who to sue or offer an opinion as to the validity of the claim.

What happens after I file my case?

After you file your small claims case, each person or business you are suing must be served with a summons or notice to appear in court with the date and time of the hearing. You will have the opportunity to take advantage of the County Court Mediation Program. This program provides you the opportunity to resolve the dispute without returning to court for a trial. You should be prepared to present your case in court if you and the defendant do not select to mediate the case.

If the dispute cannot be settled at the mediation conference a trial date will be scheduled by the court for your case to be heard. You must appear at the trial with all witnesses and documentation of your claim.

At the trial you will have an opportunity to explain your case to the Judge, ask the defendant(s) questions concerning your claim, present your documentation as discussed at the pretrial conference and call on your case.

What happens to my case if a settlement is reached?

If at any time in the proceedings a settlement is reached between the parties, the plaintiff must notify the Clerk of Court's office in writing of the settlement.

How can I collect my judgment?

The court does not collect money damages on your behalf. You may wish to consult with an attorney for advice on how to collect your judgment.

Can I file a lien against the defendant's property?

If you choose to place a judgment lien against an individually owned real property of the defendant's following the award of a judgment in your favor, you should obtain a certified copy of your judgment and have it recorded in the Official Records at the Clerk of Court's Recording division. Fees for recording are set by statute and are subject to change by legislative action. Contact the Clerk's Office Recording Department for current fees.

Filing Fees Summary:

Claims in the amount of less than \$100.00	\$55.00
Claims in the amount of \$101.00 - \$500.00	\$80.00
Claims in the amount of \$501.00-\$2500.00	\$175.00
Claims in the amount of \$2501.00- \$8000.00	\$300.00
Replevin Claims in the amount of \$ less than	\$ 130.00
\$1000.00	
Replevin Claims in the amount of \$1001.00-	\$260.00
\$2499.00	
Replevin Claims in the amount of \$2500.00-	\$385.00
\$8000.00	
Summons Issuance Fee:	\$10.00 per defendant *(Except in Replevin cases)*
Certified Mail Fee:	Postage will vary

Any Claims in the amount of \$8,000.00- \$50,000.00 will need to supply their own forms, and schedule their cases for court hearings. You should consult an attorney for further information. PLEASE KEEP IN MIND THAT IT IS AGAINST THE LAW FOR THE CLERK'S OFFICE TO PROVIDE LEGAL ADVICE.

		CASE NUMBER:
		DIVISION:
Name:		
Address:		
Telephone:	,Plaintiff	
VS.		
Name:		
Address:		
Telephone:	, Defendant	
	Statement of Claim	
The Plaintiff	sues the Defendant	and alleges:
	which do not exceed the sum of \$8,000, exc	
WHEREFORE Plaintiffjudgment in the sum of \$	demands 	
		(Print name)
		(Signature)

		CASE NUMBER:
		DIVISION:
Name:		
Address:		
Telephone:	, Plaintiff	
VS.		
Name:		
Address:		
Telephone:	, Defendant	
	Statement of Claim (Auto Accident)	
The Plaintiff sues the Defer	ndant and says:	
1. This is an action for dam	ages not exceeding \$8,000.00.	
2. On or about	, in the vicinity of	, on a public highway in Nassa
County Florida, Plaintiffs motor ve	hicle, being operated by	, collided with
the Defendant's motor vehicle, be	ing operated by	and the collision
with the Plaintiff's vehicle was ca	used by the negligent and careless	operation of Defendant's vehicle, whereb
Plaintiff's vehicle was damaged an	d depreciated in value.	
WHEREFORE, Plaintiff demands jud	Igment in the sum of \$plus	s court costs.
		(Print name)
		(Signature)

	DIVISIO	N:
Name:	_	
Address:	-	
City, State:	_	
Telephone:	_, Plaintiff	
VS.		
Name:		
Address:		
City, State:		
Telephone:	_, Defendant	
Sta	tement of Claim (Money Lent)	
The Plaintiff(s) sues the Defendant(s) and	l alleges:	
1. This is an action for damages which does not exc	eed the sum of \$8,000, exclusive	of interest and costs.
2. There is now due, owing and unpaid from the de	fendant to the Plaintiff \$	for money lent
by the Plaintiff to the Defendant on		, with interest thereon
since		
WHEREFORE, Plaintiff demands judgment in the s	sum of \$plus inte	erest and court costs.
		(Print name)
		(Signature)

	DIVISION:
Name:	_
Address:	_
Telephone:	_, Plaintiff
vs.	
Name:	-
Address:	_
Telephone:	, Defendant
This is an action in replevin and Plaintiff all	ement of Claim (In Replevin) eges: rled case and that Plaintiff is/are lawfully entitled to the
possession of the following described personal pro	operty located at
	in Nassau County Florida, to wit
Defendant came into possession of the about	ove said goods by virtue of
3. To the best of my knowledge, information	and belief the value of the said property is the sum of
\$, that said property has not l	peen taken for any tax assessment of fine levied by virtue of
any law of the State of Florida, nor seized under ar	ny execution or attachment against the goods and chattels
of said Plaintiff liable to execution and that the abo	ove named Defendant has/have possession of the above
described personal property and wrongfully detain	ns the same from Plaintiff in the County of Nassau, State of

4. That said Plaintiff is the owner of said personal property and entitled	to the possession thereof by
virtue of	
that said [Defendant in Nassau County,
Florida wrongfully detains from said Plaintiff said personal property of the va	lue as aforesaid; that said Plaintiff
made demand upon said defendant for possession of said personal property	prior to the institution of this
claim, yet said Defendant continues to wrongfully withhold possession there	eof from said Plaintiff for the
reason being	·
WHEREFORE Plaintiff demands judgment for possession of the property and the detention of it against defendant.	for damages for
	(Print name)
	(r menane)
	(Signature)

			CASE NUMBER:	
			DIVISION:	
Name:		-		
Address:				
Telephone:		Plaintiff		
VS				
Name:		-		
Address:				
Telephone:		Defendant		
1. This is an action fo	ff sues the Defendant(s) and r damages which does not e	xceed the sum of \$8,000		
\$, which repres	sents		oay for on or about
		through		
3. Although Plaintiff I	has made numerous demand	ds to Defendant for paym	nent, Defendant has fa	ailed and or
refused to pay said	d monies. All as evidence by	copies of exhibits attach	ed hereto and made a	a part hereof.
WHEREFORE Plainti	ff demands judgment In the	sum of \$	Plus court costs.	
				(Print name)
				(Signature)

(Signature)

	DIVISION:
p:	_
ess:	-
none:,	Plaintiff
:	_
ess:	_
none:, ı	Defendant
State The Plaintiff sues the Defendant(s) and al	tement of Claim (Co-Signer) leges:
This is an action for damages which does n	not exceed the sum of \$8,000, exclusive of interest and costs.
That on or about	, the Defendant did execute a Promissory Note in the
amount of	, a copy being attached hereto as Exhibit A. The
Plaintiff was co-maker on said note and w	hen the Defendant defaulted in the payments on said note the
Plaintiff was obligated to pay, as evidence	per the attached, Exhibit B.
Therefore, Plaintiff seeks to recover from	m the Defendant monies in the amount of \$, to
the portion of the note paid by the Plaintif	f.
EFORE Plaintiff demands judgment in the su	um of \$ plus court costs.
	(Print name)
	The Plaintiff sues the Defendant(s) and all This is an action for damages which does not that on or about

	CASE NUMBER:
	DIVISION:
Name:	
Address:	
Telephone:	, Plaintiff
VS.	
Name:	
Address:	<u>—</u>
Telephone:	, Defendant
	ot exceed the sum of \$8,000, exclusive of interest and costs from the Defendant for
services rendered at Defendant's request or	n or about
3. There is currently due, owing and unpaid the	e sum of \$ for said services as
evidence per the attached.	
WHEREFORE Plaintiff demands judgment in t	the sum of \$plus court costs.
	(Print name)
	(Signature)

		DIVISION:
Name:	_	
Address:	_	
Telephone:	_, Plaintiff	
VS.		
Name:	_	
Address:	_	
Telephone:	, Defendant	
Stat	ement of Claim (Unpaid Rent)	
The Plaintiff(s) sue the Defendant(s) and a	ılleges:	
This is an action for damages which does not exce	eed the sum of \$8,00	00.00, exclusive of interest and costs.
1. Plaintiff is the owner of those certain premises me	ore commonly knov	vn as
Nassau County, Florida. Plaintiff is seeking to rec	over monies due fro	om the Defendant for the rental and use o
the said premises.		
2. There is now due and owing from the Defendar	nt \$	for a period covering
to	under an oral/w	ritten agreement to pay monthly rental of
Defendant vacat	ed said premises on	leaving
said rents due and owing.		
WHEREFORE Plaintiff demands judgment In the su	ım of \$	plus court costs.
		(Print name/ signature)

CASE NUMBER:

DIVISION:

Address:	
Telephone:	, Plaintiff
VS.	
Name:	
Address:	
Telephone:	, Defendant
	Statement of Claim (Unpaid Rent plus damages)
The Plaintiff(s) sue the Defendant((s) and alleges:
1. This is an action for damages which does n	ot exceed the sum of \$8,000, exclusive of interest and costs.
2. On or about	, Defendant vacated the premises more commonly
known as	,, Nassau County, Florida, being rented by the
defendant at a monthly rental rate of \$, as per copy of rental agreement attached hereto.
3. Upon vacating said premises, Defendant	t left monies due and owing in the amount of \$
as rents for	to
4. Therefore, Plaintiff is seeking to recover	monies due for rent of said premises in the sum of \$
5. That during said tenancy of the Defenda	nt certain damages were noted by the Plaintiff upon Defendant's vacating
the premises. Plaintiff is seeking to recove	er from the Defendants monies in the amount of \$, which
represents the damages to wit.	
WHEREFORE Plaintiff demands judgment In	the sum of \$ plus interest and costs.
	(Signature)
	(Signature)

Name:_____

	DIVISION:
Name:	_
Address:	<u> </u>
Telephone:	, Plaintiff
VS	
Name:	_
Address:	<u> </u>
Telephone:	, Defendant
	tement of Claim d Rent-Early Termination)
The Plaintiff(s) sues the Defendant(s) and	d alleges:
1. This is an action for damages which does not exc	eed the sum of \$8,000, exclusive of interest and costs.
2. On or about	Defendant vacated the premises known as
	Nassau County, Florida, being rented by Plaintiff and
Defendant at a monthly rental rate of \$	thereby breaking the lease agreement
attached hereto.	
3. Upon vacating said premises without proper r	notice, Defendant left rents due and owing in the amount of
\$representing	
4. Therefore, Plaintiff is seeking to recover moni	es due for Defendant's unpaid rent.
WHEREFORE Plaintiff demands judgment in the s	um of \$ plus court costs.
	(Signature)

Right to Venue

The law gives the person or company who has sued you the right to file suit 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, have the right to request that the case be removed 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 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 of the defendant sued resides;
- 6. Any location agreed to in a contract.

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

NOTICE OF LEGAL ASSISTANCE REGARDING COLLECTION CASES

You have been served with Small Claims legal papers. There is a date on the summons for your Pretrial Conference. If you believe you have defenses to the lawsuit, you **must** attend this court date. If you do not attend the hearing date listed on the summons, a default judgment will likely be entered against you. A telephone call will not protect you.

If your case involves the collection of a debt, you may also attend a free legal workshop for people being sued for debt collection which is held at **Jacksonville Area Legal Aid (JALA)**, 126 West Adams Street, Jacksonville, Florida. This workshop is held the third Wednesday of every month beginning at 5:00 p.m. You will learn about defenses you might have in your case and an attorney will be available to review your paperwork if you bring it with you. For information on this clinic please call **JALA** at 904 -356-8371 (Voice only). Deaf and Hard of Hearing callers please call 904-353-1320 V/TTY). If you are a person with a disability and need an accommodation to attend the JALA workshop please call 904-353-1320 with at **least 5 days business** notice to request accommodations.

You may hire an attorney to represent you. To find an attorney, you can visit the Florida Bar website at www.flabar.org or contact the Lawyer Referral Service which is run by the Jacksonville Bar Association at (904) 399-5780. If you cannot afford to hire an attorney, you may want to apply for services at JALA. For more information, you can call JALA at 356-8371 (Deaf and Hard of Hearing callers please call 904-353-1320 V/TTY).

You need to act RIGHT AWAY if you want legal help with your case. If you delay you may lose your right to defend your case.

(Plaintiff)
VS.
(Defendant)
AUTHORIZATION OF CORPORATE OFFICER
is an employee of
This individual has authority to represent the corporation at any stage of the trial court proceedings
including mediation.
The undersigned giving the authority is an officer of the corporation. Pursuant to section 92.525, Floric
Statutes, under penalty of perjury, I declare that I have read the foregoing Corporate Authorization and the
the facts stated in it are true.
Date:
SIGNING AUTHORITY:
Print name and title: (President, Vice-President, Secretary, Treasurer)
Address:
Phone number:

	CASE NUMBER:
	DIVISION:
(Plaintiff)	
VS.	
(Defendant)	
Proof of CI	aim
STATE OF FLORIDA COUNTY OF NASSAU	
Before me, the undersigned authority, personally ap	peared
who, being first dully sw	orn, deposes and says; that he (she)(they) is
(are) the Plaintiff(s) or Plaintiff's agent named in the State	ement of Claim filed herein; that the balance
due to the plaintiff(s) from the Defendant(s) is the sum of \$, plus court costs,
which is a true and correct statement of the account as of	and
that no set-offs exist. This action has been brought i	n Nassau County where venue is proper. At
, Florida this day of,,	
SWORN TO AND SUBSCRIBED BEFORE ME THIS DAY OF	(Signature)
MITCH L. KEITER CLERK OF THE CIRCUIT AND COUNTY COURT NASSAU COUNTY, FLORIDA	(Title)
RV∙	

DEPUTY CLERK/NOTARY

IN THE COUNTY COURT IN AND FOR

NASSAU COUNTY, FLORIDA

OF NON-MILITARY STATUS

An affidavit of Non-Military is a sworn statement stating that you know that the defendant(s) are not currently in the military service. Without the non-military affidavit, the Judge will not accept the default. A default CANNOT be entered against a person in the military. If a defendant is in the military, you are required to motion to the courts asking the Judge to appoint an Attorney Ad-Litem. This is an attorney who will appear on behalf of the person who is in the military. If the defendant is not in the military, you will need to state where the defendant is employed or what type of work they perform.

	CASE NUMBER:
	DIVISION:
(Plaintiff)	
VS.	
(Defendant) AFFIDAVIT OF	NON-MILITARY SERVICE AND VENUE
	NON-WILLIAM SERVICE AND VENOE
STATE OF FLORIDA COUNTY OF NASSAU	
Before me, the undersigned authority person	onally appearedwho is
being duly sworn, deposes and says: that h	e (she) (they) is (are) the Plaintiff(s) or Plaintiff's agent named
in the Statement of Claim filed herein, that	the Defendant
is not now in the military service of the Uni	ted States of America, that said Defendant lives at the specific
street address of	
and is employed at	
this action Has been brought in Nassau Cou	unty where venue is proper.
	(Signatur
SWORN TO AND SUBSCRIBED BEFORE METHIS,,	
MITCH L. KEITER CLERK OF THE CIRCUIT AND COUNTY COU NASSAU COUNTY, FLORIDA	RT
DV.	

DEPUTY CLERK/NOTARY

IN THE COUNTY COURT IN AND FOR

NASSAU COUNTY, FLORIDA

(Name and Address) Plaintiff(s)	Case No.
Vs.	
(Name and Address) Defendant(s)	
	CE OF PERMANENT MAILING ADDRESS
I, We, hereby certify that my/our permane —	, the Plaintiff(s) in the above styled cause of action ent mailing address is as follows:
— <u>P</u> i	none:
I/WE UNDERSTAND THA	AT ONLY THIS ADDRESS WILL BE USED BY THE COURT, THE INTERVENING PARTIES TO THIS CASE FOR THE PURPOSE OF
	all future hearings in this case, and documents and papers pertaining to this case.
above address and that in the even first be attempted to be served at t new address. I/We also understar	notices and court papers in this case will be sent to me/us only at the ent personal service of any court documents is necessary that they will the above listed address unless and until I/We notify the court of my/our and that if I/We change my/our new address in writing by completion of the following address within one week of the change of address and parties:
	CLERK OF COURT County Civil/Small Claims Division 76347 Veterans Way Yulee, FL 32097
Court informed of any change in documents and notice of all future	ment and I/We understand that it is my/our responsibility to keep the my/our current address. I/We understand that copies of any court e hearings which are mailed to my/our current address set forth herein ervice, and the court may proceed on all matters noticed and mailed to not appear for said hearing.
Dated:	 Signature

			•
(Name and Address) Plaintiff(s) Vs.		•	Case No
(Name	e and	Address) Defendant(s)	•
			OF RESPONSIBILITY Case \$ 8,000.00 or less)
that:	Befo	re filing this case I have con	sidered the following matters and acknowledge
	1.	of court; that it is cons Defendant(s), may be repr but neither is required to d	the County Court under the Small Claims Rules sidered a layman's court; that I, and the resented by an attorney of our individual choice o so, and that the conduct of this case will be in of procedure and laws of Florida which apply to
	2.	•	ies is an important element of the case and the the proper Plaintiff(s) and Defendant(s) in this
	3.	I am responsible for the which the Defendant(s) car	furnishing of a correct address or location at n be served or given notice of this suit.
	4.	named Plaintiff(s).	to my right to file this case for myself or for the
	5.	I do not expect the Clerk,	, who received and files this claim, to give me prosecute this case and acknowledge that the ttorney or legal advisor.
	6.		r the collection of any judgment entered in my
Dated	:		Signature
			Address

Phone:

VS.	Plaintiff,	CASE	NO
	Defendant.		
DEGLES A TYON O		DEGG DV 4 D 4 DEV V	
<u>DESIGNATION O</u>	<u>F E-MAIL ADD</u>	ATTORNEY	OT REPRESENTED BY AN
Pursuant to Flor I, all documents related to	rida Rule of General, des	l Practice and Judicial Admi signate the e-mail address(es	nistration 2.516(b)(1)(c), s) below for electronic service of
	nents, motions, plea		ourt, and all parties to send copies munications to me by e-mail
current e-mail address(e	s) and that all copie	es of notices, orders, judgme	g party or parties notified of my nt, motions, pleadings, or other s(es) on record at the clerk's office
Designated e-mail addre	ess		
Secondary designated en	mail address(es), if a	any	
		Party signature	
		Printed name	
	<u>CERTI</u>	FICATE OF SERVICE	
		, 20 .	
oy o.b. mail tills	uay or	, <u>4</u> U .	