

**IN THE DISTRICT COURT OF LITTLE ROCK, ARKANSAS
SMALL CLAIMS DIVISION**

**The Honorable Mark D. Leverett District Judge
600 West Markham, Little Rock, Arkansas 72201
(501) 371-4529(501) 371-4525 (fax)**

NOTICE TO THE PLAINTIFF

COST: The filing fee for Small claims under \$5,000.00 is \$65.00. Claims over \$5,000.00 must be filed in the Civil Division of the Circuit Court, Pulaski County Courthouse, 401 West Markham, (501) 340-8431. When filing **Complaints** and **Garnishments** at the same time, two (2) separate money orders or cashier's checks are required-one for complaints and one for garnishments. Civil filing fee is \$80.00

(PLEASE NOTE: ALL FEES MUST BE PAID WITH A MONEY ORDER OR CAHIERS CHECK. Make payable to Little Rock District Court.)

SERVICE FEES: Service fees will vary, depending on how you choose to Have the Defendant(s) or Garnishee(s) served. *These fees Are **SEPARATE** from the Court's filing fees, and must be Paid directly to either of the following:*

CERTIFIED MAIL –RESTRICTED DELIVERLY (Least Effective Method of Service)	Paid directly to the Postal Service
PULASKI COUNTY SHERIFF'S OFFICE (Most Effective Method of Service)	\$50.00 fee paid directly to the Sheriff's Office (501) 340-8450
PRIVATE PROCESS SERVER (Most Effective Method of Service)	Made payable to the process server for the amount of the service fee.

FILE YOUR CLAIM PRIOR TO 4:00 P.M. MONDAY THRU FRIDAY. Money is not accepted after this time.

WHEN YOU MUST FILE:

For those wanting to sue an individual or a corporation with three (3) or less shareholders. You must file in the county where the Defendant resides or where the action took place. In a Written Contract action, you must file within five (5) years from the date the contract is/was broken. In an Oral Contract, Recovery of Personal Property or Property Damage action, you must file within three (3) years from the date the contract is/was broken or from the date the incident occurs.

PROVIDE TWO (2) SETS OF PROOF TO VALIDATE YOUR CLAIM (this includes all receipts, invoices, pictures, etc.). One set is for the Court's file, and the additional set is for the Defendant. If more than one Defendant is listed on your Complaint, you will need additional sets. If you request the Clerk's Office to make copies for you, you will be charged **.25 cents per copy. Please have exact change.**

BASIC COURT PROCEDURES:

After an answer to the complaint has been filed with the Court, the Court Clerk will set a date and time for your case to be heard in Court. The court date is usually 4 to 6 weeks from the date you file. If the Defendant does not file an answer or appear on the date of trial, the Judge may enter a default judgment. A default judgment means you have won your case and you must wait 10 days from the date the judgment is entered before beginning collection procedures against the Defendant. If you fail to appear on the date of the trial, the Judge may dismiss the case. If a party is aware that they will be unable to appear on the court date, they must contact the Court Clerk no less than one (1) week from the trial date and request a continuance in writing. A continuance is a postponement of the trial to a later date and time. Each party is allowed only one continuance.

You or the Defendant may appeal any judgment from this Court by filing a Notice of Appeal within 30 days from the date the judgment was entered. The fee is \$5.00 to the Court. The appeal must first be typed up in the Clerk's Office and then taken by the party requesting the appeal to the Circuit Court for further filing. The Circuit Court charges \$140.00 to file an appeal in their office. The Circuit Clerk's Office is located at 401 West Markham, Little Rock, Arkansas, in the Pulaski County Courthouse. If you want a copy of the judgment, you must pick one up at the Clerk's Office, or provide a self-addressed stamped envelope to the Clerk's Office and a copy will be mailed to you.

PREPARATION FOR COURT:

Come prepared to present your side. The purpose of Small Claims Court is to offer an inexpensive and quick method of resolving disputes and your preparation will help this effort. Bring all evidence with you at the time of your trial.

CONDUCTING YOURSELF IN THE COURTROOM:

You should direct all questions and statements to the Judge. **DO NOT** direct any questions or communications to the opposing party. **DO NOT** interrupt the Judge or the other party.

DRESS ATTIRE:

Please be aware that the dress attire for appearance in Civil/Small Claims Court will be causal, but not to include halter tops, tank tops, short shorts or cut off shorts.

Your cooperation will be greatly appreciated.

JUDGMENT:

*THE COURT ONLY DECIDES WHO SHOULD PREVAIL IN A GIVEN SUIT. COURTS TRADITIONALLY ARE ONLY RESPONSIBLE FOR THE DECIDING OF DISPUTES AND NOT THE ENFORCEMENT OF THE JUDGMENT. IT IS TOTALLY THE RESPONSIBILITY OF THE PLAINTIFF TO MAKE SURE THAT THEY ARE PAID BY THE DEFENDANT. IF YOU HAVE TROUBLE COLLECTING THE MONEY THE JUDGE AWARDED YOU, THERE ARE TWO POSSIBLE ACTIONS YOU MAY TAKE FOR COLLECTION: **GARNISHMENT** OR AN **EXECUTION.***

GARNISHMENT:

The filing fee is \$10.00; The Writ of Garnishment is filed with the Court Clerk.

EXECUTIONS:

The cost of filing a Writ of Execution is \$10.00.

CERTIFIED COPIES (PER COPY)..... \$5.00

To obtain an AGENT name and ADDRESS for service of a Business, you must contact the SECRETARY OF STATE office at (501) 682-5151

IT IS IMPORTANT TO REMEMBER THAT EVEN THOUGH YOU ARE FILING AGAINST A PERSON IN SMALL CLAIMS COURT, THE DEFENDANT STILL HAS THE CONSTITUTIONAL RIGHT TO OBTAIN AN ATTORNEY. SHOULD THE DEFENDANT HIRE AN ATTORNEY, YOU WILL BE NOTIFIED OF SUCH AND GIVEN THE NAME OF THE ATTORNEY AND THE CASE WILL BE TRANSFERRED FROM SMALL CLAIMS TO CIVIL.

BY LAW, THE CLERKS ARE NOT PERMITTED TO GIVE ANYONE LEGAL ADVICE. PLEASE CONSULT AN ATTORNEY TO DISCUSS ANY LEGAL QUESTIONS YOU MAY HAVE.