



KEVIN C. KARNES
CLERK OF THE COURT
& COMPTROLLER
LEE COUNTY, FLORIDA

INSTRUCTIONS AND INFORMATION FOR FILING SMALL CLAIMS CASES

Forms can be obtained from the Clerk's Office or accessed online at www.leeclerk.org

Plaintiff- Party filing the claim or initiating the action **Defendant-** Party whom the claim is against

A **Statement of Claim** (Form 291-3) and a **Summons** (Form 291-4) are required in order to file.

STATEMENT OF CLAIM

The following examples show how to name the defendant on your Statement of Claim if filing against an individual or a business.

Individual- an individual person
Example: John Doe
123 Happy Street
Fort Myers, FL 33901

Corporation- If the business is incorporated you should obtain the name of an officer or a registered agent of the corporation.

Example: Jones Corporation
By serving: John Jones, President
123 Happy Street,
Ft. Myers, FL 33901

Doing Business As (d/b/a)- This only applies if the business is **not** incorporated and is registered as a fictitious name.

Example: Mary Doe d/b/a Mary's Bakery
123 Happy Street
Fort Myers, FL 33901

To locate the name of an officer, registered agent or person registered as a fictitious name of a business; contact the Secretary of State free of charge @ www.sunbiz.org.

METHODS OF SERVICE

Please choose **one** of the following methods for serving the summons.

Certified Mail- Florida addresses only. Please refer to Clerk's Fees @ www.leeclerk.org.

Sheriff- located at 2072 Victoria Ave., Fort Myers, FL 33901 Telephone: (239) 477-1353

- Service fee of \$40.00 per defendant (cash, cashier's check, or money order made payable to the Lee County Sheriff's Office)
- Out-of-County sheriff service, add additional \$1.00 to filing fee
- Out-of-State sheriff service, see clerk for instructions

Process Servers- A list of local certified process servers may be obtained from the Court Administrator's Office. Fees are determined by the individual server.

Insurance Commissioner- for claims against an insurance company in Florida see [Insurance Commissioner](#).

SUBSTANTIATING DOCUMENTS

Please submit one original petition with any substantiating documents and one additional copy for **each defendant**. If the clerk is asked to make these copies there will be an additional \$1.00 service fee charged per page copied.

For information on filing fees log on to www.leeclerk.org or for further assistance call (239) 533-5000.

To file your claim by mail, please send to: **Lee Co. Clerk of Court, P.O. Box 310, Ft. Myers, FL 33902 or 2075 Dr. Martin Luther King Jr. Blvd., Ft. Myers, FL 33901**