

IN THE CIRCUIT COURT OF THE TWENTIETH JUDICIAL CIRCUIT IN AND FOR LEE COUNTY FLORIDA, SMALL CLAIMS ACTION

Plaintiff's Name
Address
City State Zip
Phone #
Email Address

Case No. \_\_\_\_\_

Refer to this number when making inquiries

VS.

Defendant
Defendant
Defendant

Address
Address
Address

STATEMENT OF CLAIM

Plaintiff hereby declares that Defendant owes Plaintiff the sum of \$\_\_\_\_\_, together with court costs, arising out of or as a direct result of the following facts to wit:

Is there a related case to this action? \_\_\_\_\_ Yes \_\_\_\_\_ No
Wherefore, Plaintiff demands judgment for damages against defendant, plus court costs.

Dated: \_\_\_\_\_

\_\_\_\_\_  
Plaintiff / Agent

\_\_\_\_\_  
Attorney

## HOW TO FILE YOUR CASE

The Plaintiff (party suing) must furnish complete names and addresses of all Defendants. If you are suing a corporation or person doing business as a fictitious name you may wish to consult the clerk to be sure you have stated the name properly.

The maximum jurisdiction of Small Claims Court is \$8,000.00 not counting interest and court costs. If your claim is for more than \$8,000.00 you may still sue in Small Claims Court but must add the following: "All sums exclusive of interest and cost due in excess of \$8,000.00 are hereby waived." The statement of claims should state only the principal amount you are suing for. The Court will determine if interest and court costs are to be awarded.

If your claim is based on a written document i.e. contract, note, account, etc., attach a copy to each form (original claim form goes to the clerk, and one to each defendant).

### NOTICE TO PLAINTIFF AND DEFENDANT

Both parties **MUST** appear for the pretrial conference on the date and the time scheduled unless an Attorney appears for you. If the Plaintiff does not appear the case may be dismissed and if the Defendant does not appear a default judgment may be entered against them. Both parties must keep the Court informed of their current address.

### IMPORTANT: MEDIATION - AN ALTERNATIVE TO TRIAL

The County Court Judges of Lee County offer mediation to you at your pending pre-trial conference as an alternative to trial.

**WHAT IS MEDIATION** - Mediation brings both parties together in a non-courtroom setting with the assistance of a professionally trained voluntary mediator who will impartially assist you in reaching an agreement of mutual interest and satisfaction. Mediation eliminates the uncertainty of a Judge's decision and allows you to control your own destiny.

A Record of Agreement form will be prepared by the mediator detailing the agreement. Both parties sign the form and the case is presented to the presiding Judge for approval without delay.

**WHAT CASES CAN BE MEDIATED** - Virtually **ALL** cases filed in Small Claims Court can be mediated whether you are represented by an attorney or represent yourself.

### WHAT ARE THE ADVANTAGES OF MEDIATION – (MEDIATED CASES SELDOM HAVE A "LOSER")

Mediation allows both parties to freely present their case, without courtroom formality, in the quiet relaxed atmosphere of a private conference room under the expert guidance of an experienced mediator who will strive to guide a settlement of the issues that will be beneficial to both parties.

Mediation will save you **time** and **money**. Successful mediation means no further court appearances, therefore, no further loss of time from normal activities for you and your witnesses. Mediation may save the expense to both sides of collection procedures.