

INSTRUCTIONS

The following items are required when filing a small claims case in Leon County. You may bring or mail your completed forms and payment to the Leon County Clerk of Court and Comptroller, 301 South Monroe Street, Room 100, Tallahassee, FL 32301.

1. **Statement of Claim with attachments.** 1 original and 1 copy for each defendant being served.
2. **Summons/Notice To Appear for Pretrial Conference/Mediation.**
 - Two copies must be provided for issuance for each defendant being sued. If you want a copy, provide an additional copy and a self-addressed stamped envelope.
 - The summons/notice to appear must be served, along with a copy of the claim, by a certified process server, which can be the Sheriff's Office or a process server of your choice. Service of process on only Florida residents may also be effected by certified mail – return receipt signed by the defendant, or someone authorized to receive mail at the residence or principal place of business of the defendant. Either the Clerk's Office or an attorney of record may send the certified mail; if the Clerk's Office sends it, the party must pay this cost in addition to the filing fee.
 - You should check your case before the hearing date to insure that proper service has been made so that the case can proceed, by using our website or by calling our office at 850-606-4110.
3. **Payment in the appropriate amount for the filing fee.**
 - Each claim less than \$100 \$ 55.00
 - Each claim of \$100 but no more than \$500 \$ 80.00
 - Each claim of \$500 but no more than \$2,500 \$175.00
 - Each claim of more than \$2,500 \$300.00
4. **Payment in the appropriate amount for issuance of summons.** \$10 for each summons issued by the Clerk's Office.

CASE NO. _____

DEFENDANT

ADDRESS

CITY, STATE, ZIP CODE

TELEPHONE:_____

Plaintiff(s), _____, sues Defendant(s), and alleges:

- [illegible]

WHEREFORE, Plaintiff demands judgment in the amount of \$_____, plus all costs of this action.

Plaintiff or Agent

IN THE COUNTY COURT OF THE
SECOND JUDICIAL CIRCUIT, IN AND
FOR LEON COUNTY, FLORIDA

CASE NO. _____

Plaintiff(s)

VS.

Defendant(s)

SUMMONS/NOTICE TO APPEAR FOR PRETRIAL CONFERENCE

STATE OF FLORIDA - NOTICE TO PLAINTIFF(S) AND DEFENDANT(S)
(Name & address of Defendant(s) to be Served)

YOU ARE HEREBY NOTIFIED that you are required to appear in person or by
attorney at the Leon County Courthouse Annex in Courtroom # 1, located at 1920
Thomasville Road, Tallahassee, FL 32303, on the _____ day of
_____ at _____ a.m. for a PRETRIAL
CONFERENCE before a Judge of this court.

IMPORTANT -- READ CAREFULLY

THE CASE WILL NOT BE TRIED AT THE PRETRIAL CONFERENCE
DO NOT BRING WITNESSES. YOU MUST APPEAR IN PERSON OR BY
ATTORNEY.

The defendant(s) must appear in court on the date specified in order to avoid a
default judgment. The plaintiff(s) must appear to avoid having the case dismissed
for lack of prosecution. A written MOTION or ANSWER to the court by the
plaintiff(s) or the defendant(s) shall not excuse the personal appearance of a party
or its attorney in the PRETRIAL CONFERENCE. The date and time of the pretrial
conference CANNOT be rescheduled without good cause or prior court approval.

A corporation may be represented at any stage of the trial court proceedings by an officer of the corporation or any employee authorized in writing by an officer of the corporation. Written authorization must be brought to the Pretrial Conference.

The purpose of the pretrial conference is to record your appearance or determine if you admit all or part of the claim, to enable the court to determine the nature of the case, and to set the case for trial if the case cannot be resolved at the pretrial conference. You or your attorney should be prepared to confer with the court and to explain briefly the nature of your dispute, state what efforts have been made to settle the dispute, exhibit any documents necessary to prove the case, state the names and addresses of your witnesses, stipulate to the facts that will require no proof and will expedite the trial, and estimate how long it will take to try the case.

Mediation may take place at the pretrial conference. Whoever appears for a party must have full authority to settle. Failure to have full authority to settle at this pretrial conference may result in the imposition of costs and attorney fees incurred by the opposing party.

If you admit the claim, but desire additional time to pay, you must come and state the circumstances to the court. The court may or may not approve a payment plan and withhold judgment or execution or levy.

RIGHT TO VENUE. The law gives the person or company who has sued you the right to file 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(s) have the right to request that the case be moved 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 the 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 defendant(s) sued reside; [6] any location agreed to in a contract; [7] in an action for money due, if there is no agreement as to where suit may be filed, where payment is to be made.

If you as the defendant(s) believe the plaintiff(s) has/have not sued in one of these correct places, you must appear on your court date and orally request a transfer or you must file a WRITTEN request for transfer, in affidavit form (sworn to under oath) with the court 7 days prior to your first court date and send a copy to the plaintiff(s) or plaintiff's(s') attorney, if any.

A copy of the statement of claim shall be served with this summons.

DATED ON _____.

GWEN KNIGHT
Clerk of Court, Leon County

By: _____
Deputy Clerk

IF YOU ARE A PERSON WITH A DISABILITY WHO NEEDS ANY ACCOMMODATION IN ORDER TO PARTICIPATE IN THIS PROCEEDING, YOU ARE ENTITLED, AT NO COST TO YOU, TO THE PROVISION OF CERTAIN ASSISTANCE. PLEASE CONTACT SUSAN WILSON, OFFICE OF THE COURT ADMINISTRATOR, 301 S. MONROE ST., ROOM 215, TALLAHASSEE, FL 32301, (850) 606-4401, AT LEAST 7 DAYS BEFORE YOUR SCHEDULED COURT APPEARANCE, OR IMMEDIATELY UPON RECEIVING THIS NOTIFICATION IF THE TIME BEFORE THE SCHEDULE APPEARANCE IS LESS THAN 7 DAYS. IF YOU ARE HEARING OR VOICE IMPAIRED, CALL 711.