SUPERIOR COURT OF CALIFORNIA, COUNTY OF VENTURA

Hall of Justice 800 South Victoria Avenue Ventura, CA 93009 (document filing location) East County Courthouse 3855-F Alamo Street Simi Valley, CA 93063-2110 (court hearing location only)

Juvenile Justice Center 4353 E. Vineyard Avenue Oxnard, CA 93036 (court hearing location only)

Brenda L. McCormick Executive Officer/Clerk And Jury Commissioner

Enclosed you will find the necessary forms for filing a small claims action. Please read the "Information For the Small Claims Plaintiff" thoroughly. Before completing the form, read the following instructions:

- 1. The filing fee must be mailed with the claim in the form of check or money order payable to the Ventura County Superior Court. If you are paying by check and filing numerous claims, you must write a separate check for every three claims filed. The filing fees are as follows:
 - \$30.00 If you are filing a claim for \$1,500 or less;
 - \$50.00 If you are filing a claim for more than \$1,500 but less than or equal to \$5,000.
 - \$75.00 If you are filing a claim for more than \$5,000 but less than or equal to \$12,500 (a claim in this category can only be filed by a natural person);
 - \$100.00 If you have filed more than 12 claims in the preceding 12 calendar months.
- 2. The forms may be typed or legibly hand printed in dark blue or black ink.
- 3. The plaintiff must sign the "Plaintiff's Claim and Order to Go to Small Claims Court" form. If there is more than one plaintiff, all plaintiffs must sign the form.
- 4. There is a \$15.00 fee for each defendant to be served by certified mail, in addition to your filing fee if you choose this type of service. The clerk must mail the claim to the Defendant. **Do not mail the claim** yourself.
- 5. As per the attached "Information For the Small Claims Plaintiff", you may have service made by Certified Mail, Marshall, Sheriff, Registered Process Server, or any person over the age of 18 and not named on the case. If you choose a Marshall or Sheriff, you should contact the office closest to where the defendant resides. *Do not include Marshall or Sheriff fees with the filing fee.* If you are suing a business and elect to have them served by certified mail, you should include the name of an agent authorized to receive legal documents for the business. Please refer to SC-104C "How to Serve a Business". You must file the completed proof of service form (SC-104) a minimum of five (5) days before your trial or your case will not be heard.

NAMING THE PARTY YOU ARE SUING

The party being sued is called the Defendant. Naming the defendant correctly is very important and can make a difference in your ability to collect if you win your case. You will only be able to collect from the party or parties whose name is <u>exactly</u> the same as the name that appears on your claim.

If you are suing an individual, write the person's first name and last name.

EXAMPLE:	James Jones
	2261 Willars St.
	Los Angeles, Ca 90014

If you are suing a husband and wife, write the husband's full name and the wife's full name.

EXAMPLE:	James Jones	Sally Jones
	2261 Willars Street	2261 Willars Street
	Los Angeles, CA 90014	Los Angeles, CA 90014

If you don't know the wife's first name, you can write: Mr. James Jones and Mrs. James Jones, husband and wife.

If you are suing as a result of a vehicle accident, you must name <u>both</u> the driver and the registered owner of the car.

EXAMPLE: James Jones (R/Owner) 2261 Willars St. Los Angeles, Ca 90014 Bill Davis (Driver) 1010 Nupie St.

Los Angeles, Ca 90014

If the owner and the driver are the same person, you can write: James Jones, owner and driver.

<u>NOTE</u>: If you do not know the name of the registered owner, the Department of Motor Vehicles can assist you. Complete and file with the Department of Motor Vehicles. "INF 1129" or "INF 70"

If you are suing a partnership, name both the partnership and the partners as individuals as well.

EXAMPLE: Smith and Jones, a partnership consisting of Jim Smith and Jim Jones, individually 1010 Dandelion Rd. Los Angeles, CA 90015

NOTE: If you win your case, you will be entitled to collect from either the partnership or the individual partner.

If you are suing a business owned by one person, write <u>both</u> the owner's name and the business's name. You should also name the owner as an individual to increase your chances of collecting if you win. Write the letters DBA which stands for "Doing Business As" between the name of the owner and the company name.

EXAMPLE:	Sue Smith, Individually and DBA
	Continental Candies
	2235 Foxworth Drive
	Los Angeles, CA 90012

If you are suing a corporation, write the exact name of the corporation. You do not name an individual when suing a corporation. Just the corporation is named. If you wish the court to serve your defendant by certified mail, court staff will need the name of a corporate officer or agent for service.

(See Secretary of State Website http://kepler.ss.ca.gov/corpdata/index.html)

EXAMPLE: Sally's Dresses, A Corporation 202 Doghouse Rd. Los Angeles, CA 90016

<u>OR</u>

Sally's Dresses, Inc. 202 Doghouse Rd. Los Angeles, CA 90016

If a corporation owns a division or a subsidiary, it should be designated as in the following.

EXAMPLE: Lotus Corporation DBA The Flower Company 2525 Biscuit Hill Blvd. Los Angeles, CA 90042

Rev 10/12/04 jmc G/COMM/ADMIN/SMALL CLAIMS/NAMING THE PARTY

INFORMATION FOR THE SMALL CLAIMS PLAINTIFF

This information sheet is written for the person who sues in the small claims court. It explains some of the rules of, and some general information about, the small claims court. It may also be helpful for the person who is sued.

WHAT IS SMALL CLAIMS COURT?

Small claims court is a special court where disputes are resolved quickly and inexpensively. The rules are simple and informal. The person who sues is the plaintiff. The person who is sued is the defendant. In small claims court, you may ask a lawyer for advice before you go to court, but you cannot have a lawyer in court. Your claim cannot be for more than \$6,250 if you are a business or public entity or for more than \$12,500 if you are a natural person (including a sole proprietor). (See below for reference to exceptions.*) If you have a claim for more than this amount, you may sue in the civil division of the trial court or you may sue in the small claims court and give up your right to the amount over the limit. You cannot, however, file more than two cases in small claims court for more than \$2,500 each during a calendar year.

WHO CAN FILE A CLAIM?

4.

- 1. You must be at least 18 years old to file a claim. If you are not yet 18, tell the clerk. You may ask the court to appoint a guardian ad litem. This is a person who will act for you in the case. The guardian ad litem is usually a parent, a relative, or an adult friend.
- 2. A person who sues in small claims court must first make a demand, if possible. This means that you have asked the defendant to pay, and the defendant has refused. If your claim is for possession of property, you must ask the defendant to give you the property.
- 3. Unless you fall within two technical exceptions, you must be the **original owner** of the claim. This means that if the claim is assigned, the buyer cannot sue in the small claims court.

WHERE CAN YOU FILE YOUR CLAIM?

You must sue in the right court and location. This rule is called venue. Check the court's local rules if there is more than one court location in the county handling small claims cases. If you file your claim in the wrong court, the court will dismiss the claim unless all defendants personally appear at the hearing and agree that the claim may be heard. The right location may be any of these:

- 1. Where the defendant lives or where the business involved is located:
- 2. Where the damage or accident happened;
- 3. Where the contract was signed or carried out;
- 4. If the defendant is a corporation, where the contract was broken; or

SOME RULES ABOUT THE DEFENDANT (including government agencies)

- 1. You must sue using the defendant's exact legal name. If the defendant is a business or a corporation and you do not know the exact legal name, check with the state or local licensing agency, the county clerk's office, or the Office of the Secretary of State, Corporate Status Unit, at www.sos.ca.gov/business. Ask the clerk for help if you do not know how to find this information. If you do not use the defendant's exact legal name, the court may be able to correct the name on your claim at the hearing or after the judgment.
- 5. For a retail installment account or sales contract or a motor vehicle finance sale:
 - a. Where the buyer lives;

that is not a natural person.

b. Where the buyer lived when the contract was entered into;

You must also appear at the small claims hearing yourself

unless you filed the claim for a corporation or other entity

director must act on its behalf. If the claim is filed on behalf of

an association or another entity that is not a natural person, a

regularly employed person of the entity must act on its behalf.

A person who appears on behalf of a corporation or another

purpose of representing the corporation or other entity in the small claims court. You must file a declaration with the

entity must not be employed or associated solely for the

court to appear in any of these instances. (See

Authorization to Appear, form SC-109.)

If a corporation files a claim, an employee, an officer, or a

- c. Where the buyer signed the contract; or
- d. Where the goods or vehicle are permanently kept.

- If you want to sue a government agency, you must first file a 2. claim with the agency before you can file a lawsuit in court. Strict time limits apply. If you are in a Department of Corrections or Youth Authority facility, you must prove that the agency denied your claim. Please attach a copy of the denial to your claim.
- With very limited exceptions, the defendant must be served 3. within the state of California.

HOW DOES THE DEFENDANT FIND OUT ABOUT THE CLAIM?

You must make sure the defendant finds out about your lawsuit. This has to be done according to the rules or your case may be dismissed or delayed. The correct way of telling the defendant about the lawsuit is called service of process. This means giving the defendant a copy of the claim. YOU CANNOT DO THIS YOURSELF. You should read form SC-104B, What is "Proof of Service"? Here are four ways to serve the defendant:

- 1. Service by a law officer—You may ask the marshal or sheriff to serve the defendant. A fee will be charged.
- 2. Process server—You may ask anyone who is not a party in your case and who is at least 18 years old to serve the defendant. The person is called a process server and must personally give a copy of your claim to the defendant. The person must also sign a proof of service form showing when the defendant was served. Registered process servers will serve papers for a fee. You may also ask a friend or relative to do it.
- 3. Certified mail—You may ask the clerk of the court to serve the defendant by certified mail. The clerk will charge a fee. You should check back with the court before the hearing to see if the receipt for certified mail was returned to the court. Service by certified mail must be done by the clerk's office except in motor vehicle accident cases involving out-of-state defendants.
- 4. Substituted service—This method lets you serve another person instead of the defendant. You must follow the procedures carefully. You may also wish to use the marshal or sheriff or a registered process server.

* Exceptions: Different limits apply in an action against a defendant who is a guarantor. (See Code Civ. Proc., § 116.220(c).)

- 4. **Substituted service** *(continued)* A copy of your claim must be left at the defendant's business with the person in charge, OR at the defendant's home with a competent person who is at least 18 years old. The person who receives the claim must be told about its contents. Another copy must be mailed, first class postage prepaid, to the defendant at the address where the paper was left. The service is not complete until 10 days after the copy is mailed.
- 5. Timing and proof of service—No matter which method of service you choose, the defendant must be served by a certain date, or the trial will be postponed. If the defendant lives in the county, service must be completed at least 15 days before the trial date. This period is at least 20 days if the defendant lives outside the county.

The person who serves the defendant must sign a court paper showing when the defendant was served. This paper is called a Proof of Service (form SC-104). It must be signed and returned to the court clerk as soon as the defendant has been served.

WHAT IF THE DEFENDANT ALSO HAS A CLAIM?

Sometimes the person who was sued (the defendant) will also have a claim against the person who filed the lawsuit (the plaintiff). This claim is called the Defendant's Claim. The defendant may file this claim in the same lawsuit. This helps to resolve all of the disagreements between the parties at the same time.

If the defendant decides to file the claim in the small claims court, the claim may not be for more than \$6,250, or \$12,500 if the defendant is a natural person (see exceptions on page 1*). If the value of the claim is more than this amount, the defendant may either give up the amount over \$6,250 or \$12,500 and sue in the small claims court or sue in the appropriate court for the full value of the claim. If the defendant's claim relates to the same contract, transaction, matter, or event that is the subject of your claim and exceeds the value amount for small claims court, the defendant may file the claim in the appropriate court and file a motion to transfer your claim to that court to resolve both claims together.

The defendant's claim must be served on the plaintiff at least five days before the trial. If the defendant received the plaintiff's claim 10 days or less before the trial, then the claim must be served at least one day before the trial. Both claims will be heard by the court at the same time.

WHAT HAPPENS AT THE TRIAL?

Be sure you are on time for the trial. The small claims trial is informal. You must bring with you all witnesses, books, receipts, and other papers or things to prove your case. You may ask the witnesses to come to court voluntarily, or you may ask the clerk to issue a subpoena. A subpoena is a court order that requires the witness to go to trial. The witness has a right to charge a fee for going to the trial. If you do not have the records or papers to prove your case, you may also get a court order before the trial date requiring the papers to be brought to the trial. This order is called a Small Claims Subpoena and Declaration (form SC-107).

If you settle the case before the trial, you must file a **dismissal** form with the clerk.

The court's decision is usually mailed to you after the trial. It may also be hand delivered to you when the trial is over and after the judge has made a decision. The decision appears on a form called the Notice of Entry of Judgment (form SC-130 or SC-200).

WHAT HAPPENS AFTER JUDGMENT?

The court may have ordered one party to pay money to the other party. The party who wins the case and is owed the money is called the judgment creditor. The party who loses the case and owes the money is called the judgment debtor. Enforcement of the judgment is postponed until the time for appeal ends or until the appeal is decided. This means that the judgment creditor cannot collect any money or take any action until this period is over. Generally both parties may be represented by lawyers after judgment. More information about your rights after judgment is available on the back of the Notice of Entry of Judgment. The clerk may also have this information on a separate sheet.

HOW TO GET HELP WITH YOUR CASE

- 1. Lawyers—Both parties may ask a lawyer about the case, but a lawyer may not represent either party in court at the small claims trial. Generally, after judgment and on appeal, both parties may be represented by lawyers.
- 2. Interpreters-If you do not speak English well, ask the court clerk as soon as possible for a court-provided interpreter. You may use form INT-300 or a local court form to request an interpreter. If a court interpreter is not available at the time of your trial, it may be necessary to reschedule your trial. You cannot bring your own interpreter for the trial unless the interpreter has been approved by the court as a certified, registered, or provisionally qualified interpreter. (See Cal. Rules of Court, rule 2.893, and form INT-140.)
- 3. Waiver of fees—The court charges fees for some of its procedures. Fees are also charged for serving the defendant with the claim. The court may excuse you from paying these fees if you cannot afford them. Ask the clerk for the Information Sheet on Waiver of Superior Court Fees and Costs (form FW-001-INFO) to find out if you meet the requirements so that you do not have to pay the fees.
- 4. Night and Saturday court—If you cannot go to court during working hours, ask the clerk if the court has trials at night or on Saturdays.

- 5. Parties who are in jail—If you are in jail, the court may excuse you from going to the trial. Instead, you may ask another person who is not an attorney to go to the trial for you. You may mail written declarations to the court to support your case.
- Accommodations-If you have a disability and need 6. assistance, immediately ask the court to help accommodate your needs. If you are hearing impaired and need assistance, notify the court immediately.
- 7. Forms—You can get small claims forms and more information at the California Courts Self-Help Center website (www.courts.ca.gov/smallclaims), your county law library, or the courthouse nearest you.
- Small claims advisors—The law requires each county to 8. provide assistance in small claims cases free of charge. (Small claims advisor information):

SC-100-INFO [Rev. January 1, 2024] **INFORMATION FOR THE PLAINTIFF**

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For your protection and privacy, please press the Clear This Form button after you have printed the form.

Print this form Save this form

(Small Claims)



SC-100 Plaintiff's Claim and ORDER to Go to Small Claims Court	Clerk stamps date here when form is filed.
Notice to the person being sued:	
• You are the defendant if your name is listed in (2) on page 2 of this form or on form SC-100A. The person suing you is the plaintiff, listed in (1) on page 2.	
 You and the plaintiff must go to court on the trial date listed below. If you do not go to court, you may lose the case. If you lose, the court can order that your wages, money, or property be taken to pay this claim. Dring witnesses, moninter, and any wideness you need to prove your case. 	
 Bring witnesses, receipts, and any evidence you need to prove your case. Band this form and all means attached to understand the claim against your 	Fill in court name and street address:
• Read this form and all pages attached to understand the claim against you and to protect your rights.	Superior Court of California, County of
Aviso al Demandado:	
 Usted es el Demandado si su nombre figura en (2) de la página 2 de este formulario, o en el formulario SC-100A. La persona que lo demanda es el Demandante, la que figura en (1) de la página 2. 	
• Usted y el Demandante tienen que presentarse en la corte en la fecha del	Court fills in case number when form is filed.
juicio indicada a continuación. Si no se presenta, puede perder el caso. Si pierde el caso, la corte podría ordenar que le quiten de su sueldo, dinero u otros bienes para pagar este reclamo.	Case Number:
• Lleve testigos, recibos y cualquier otra prueba que necesite para probar su cas	O Case Name:
• Lea este formulario y todas las páginas adjuntas para entender la demanda	

The people in (1) and (2) must attend court: (*Clerk fills out section below.*)

Trial Date	→ Date 1	Time	Department	Name and address of court, if different from above
	2			
	3			
	Date:		_ Clerk, by	, Deputy

Instructions for the person suing:

Do not use this form to recover COVID-19 rental debt, which is unpaid rent or other financial obligations under a tenancy due between March 1, 2020, and September 30, 2021. (See Code of Civil Procedure, §1179.02.) To recover COVID-19 rental debt, use form <u>SC-500</u>, *Plaintiff's Claim and ORDER to Go to Small Claims Court*.

- You are the plaintiff. The person you are suing is the defendant.
- **Before** you fill out this form, read form <u>SC-100-INFO</u>, *Information for the Plaintiff*, to know your rights. You can get form SC-100-INFO at any courthouse or county law library, or go to <u>www.courts.ca.gov/forms.</u>
- Fill out pages 2, 3, and 4 of this form. Make copies of all the pages of this form and any attachments—one for each party named in this case and an extra copy for yourself. Take or mail the original and the copies to the court clerk's office and pay the filing fee. The clerk will write the date of your trial in the box above. Your court may allow electronic filing. Check your local court website for information: www.courts.ca.gov/find-my-court.htm.
- You must have someone at least 18—not you or anyone else listed in this case—give each defendant a court-stamped copy of all pages of this form and any pages this form tells you to attach. There are special rules for "serving," or delivering, this form to public entities, associations, and some businesses. See forms <u>SC-104</u>, <u>SC-104B</u>, and <u>SC-104C</u>.
- Go to court on your trial date listed above. Bring witnesses, receipts, and any evidence you need to prove your case.

The plaintiff (the person, business, or public entity that is suing) is: Name: Phone: Street address: City Street State Zip Mailing address *(if different):* Street City State Zip Email address *(if available):* If more than one plaintiff, list next plaintiff here: Name: Phone: Street address: City Street State Zip Mailing address *(if different):* Street City State Zip Email address *(if available):* Check here if more than two plaintiffs and attach form SC-100A. Check here if either plaintiff listed above is doing business under a fictitious name and attach form <u>SC-103</u>. Check here if any plaintiff is a "licensee" or "deferred deposit originator" (payday lender) under Financial Code sections 23000 et seq. The defendant (the person, business, or public entity being sued) is: 2 Phone: Name: Street address: City Zip Street State Mailing address *(if different):* Street Citv State Zip If the defendant is a corporation, limited liability company, or public entity, list the person or agent authorized for service of process here: Name: Job title, if known: Address: City Street State Zip Check here if your case is against more than one defendant and attach form SC-100A. Check here if any defendant is on active military duty and write defendant's name here: . (Explain below and on next page.) The plaintiff claims the defendant owes \$ 3 (Note: A claim for COVID-19 rental debt cannot be made on this form. Use form SC-500, Plaintiff's Claim and ORDER to Go to Small Claims Court (COVID-19 Rental Debt).) a. Why does the defendant owe the plaintiff money?

3	b.	When did this happen? (Date):
C		If no specific date, give the time period: Date started: Through:
	c.	How did you calculate the money owed to you? (Do not include court costs or fees for service.)
		<i>Check here if you need more space. Attach one sheet of paper or form <u>MC-031</u> and write "SC-100, Item 3" at the top.</i>
4	รเ th	ou must ask the defendant (in person, in writing, or by phone) to pay you before you ue. If your claim is for possession of property, you must ask the defendant to give you ue property. Have you done this?
		Yes 🗌 No If no, explain why not:
5		'hy are you filing your claim at this courthouse? his courthouse covers the area (check the one that applies):
	a.	 (1) Where the defendant lives or does business. (2) Where the plaintiff's property was damaged. (3) Where the plaintiff was injured. (4) Where a contract (written or spoken) was made, signed, performed, or broken by the defendant <i>or</i> where the defendant lived or did business when the defendant made the contract.
	b.	Where the buyer or lessee signed the contract, lives now, or lived when the contract was made, if this claim, is about an offer or contract for personal, family, or household goods, services, or loans. (Code Civ. Proc., § 395(b).)
	c.	Where the buyer signed the contract, lives now, or lived when the contract was made, if this claim is about a retail installment contract (like a credit card). (Civ. Code, § 1812.10.)
	d.	Where the buyer signed the contract, lives now, or lived when the contract was made, or where the vehicle is permanently garaged, if this claim is about a vehicle finance sale. (Civ. Code, § 2984.4.)
	e.	Other (specify):
6	Li	st the zip code of the place checked in (5) above (if you know):
7		your claim about an attorney-client fee dispute? Yes No <i>Yes and if you have had arbitration, fill out form SC-101, attach it to this form, and check here:</i>
8		re you suing a public entity? Yes No Yes, you must file a written claim with the entity first. A claim was filed on (date):
		the public entity denies your claim or does not answer within the time allowed by law, you can file this form.

Plai	ntiff <i>(list names):</i>	Case Number:
9	Have you filed more than 12 other small claims within the I Yes No If yes, the filing fee for this case will be higher.	ast 12 months in California?
10	Is your claim for more than \$2,500? Yes No If you answer yes, you also confirm that you have not filed, and you underst small claims cases for more than \$2,500 in California during this calendar	
(11)	l understand that by filing a claim in small claims court, l h claim.	ave no right to appeal this
	clare under penalty of perjury under the laws of the State of California that the chments to this form is true and correct.	e information above and on any
Date	:	

Plaintiff types or prints name here		Plaintiff signs here	
Date:			
	•		
Second plaintiff types or prints name here		Second plaintiff signs here	



Requests for Accommodations

Assistive listening systems, computer-assisted real-time captioning, or sign language interpreter services are available if you ask at least five days before the trial. For these and other accommodations, contact the clerk's office for form <u>MC-410</u>, *Disability Accommodation Request*. (Civ. Code, § 54.8.)

"Small claims court" is a special court where claims for \$12,500 or less are decided. Individuals, including "natural persons" and sole proprietors, may claim up to \$12,500. Corporations, partnerships, public entities, and other businesses are limited to claims of \$6,250. (See below for exceptions.*) The process is quick and cheap. The rules are simple and informal. You are the *defendant*—the person being sued. The person who is suing you is the *plaintiff*.

Do I need a lawyer? You may talk to a lawyer before or after the case. But you *may not* have a lawyer represent you in court (unless this is an appeal from a small claims case).

How do I get ready for court? You don't have to file any papers before your trial, unless you think this is the wrong court for your case. But bring to your trial any witnesses, receipts, and evidence that support your case. And read "Be Prepared for Your Trial" at <u>www.courts.ca.gov/smallclaims/prepare</u>.

What if I need an accommodation? If you have a disability or are hearing impaired, fill out form MC-410, *Disability Accommodation Request*. Give the form to your court clerk or the ADA/Access Coordinator.

What if I don't speak English well? Ask the court clerk as soon as possible for a court-provided interpreter. You may use form INT-300, *Request for Interpreter (Civil)* or a local court form to request an interpreter. If a court interpreter is unavailable for your trial, it may be necessary to reschedule your trial. You cannot bring your own interpreter for the trial unless the interpreter has been approved by the court as a certified, registered, or provisionally qualified interpreter. (See Cal. Rules of Court, rule 2.893, and form INT-140.)

Where can I get the court forms I need? Go to any courthouse or your county law library, or print forms at <u>www.courts.ca.gov/forms.</u>

What happens at the trial? The judge will listen to both sides. The judge may make a decision at your trial or mail the decision to you later.

What if I lose the case? If you lose, you may appeal. You'll have to pay a fee. (Plaintiffs cannot appeal their own claims.)

- If you were at the trial, file form <u>SC-140</u>, *Notice of Appeal*. You must file within 30 days after the clerk hands or mails you the judge's decision (judgment) on form <u>SC-200</u> or form <u>SC-130</u>, *Notice of Entry of Judgment*.
- If you were not at the trial, fill out and file form <u>SC-135</u>, Notice of <u>Motion to Vacate Judgment and Declaration</u>, to ask the judge to cancel the judgment (decision). If the judge does not give you a new trial, you have 10 days to appeal the decision. File form <u>SC-140</u>.

For more information on appeals, see <u>www.courts.ca.gov/</u> <u>smallclaims/appeals</u>.

Do I have options? Yes. If you are being sued you can:

• Settle your case before the trial. If you and the plaintiff agree on how to settle the case before the trial, the plaintiff must file form <u>CIV-110</u>, *Request for Dismissal* or a written and signed settlement agreement with the clerk. Ask the Small Claims Advisor for help.

- **Prove this is the wrong court.** Send a letter to the court *before* your trial explaining why you think this is the wrong court. Ask the court to dismiss the claim. You must serve (give) a copy of your letter (by mail or in person) to all parties. (Your letter to the court must say you have done so.)
- Go to the trial and try to win your case. Bring witnesses, receipts, and any evidence you need to prove your case. To have the court order a witness to go to the trial, fill out form <u>SC-107</u>, *Small Claims Subpoena and Declaration*, and have it served on the witness.
- Sue the person who is suing you. If you have a claim against the plaintiff, and the claim is appropriate for small claims court as described on this form, you may file *Defendant's Claim* (form <u>SC-120</u>) and bring the claim in this action. If your claim is for *more* than allowed in small claims court, you may still file it in small claims court if you give up the amount over the small claims value amount, or you may file a claim for the full value of the claim in the appropriate court. If your claim is for more than allowed in small claims court and relates to the same contract, transaction, matter, or event that is the subject of the plaintiff's claim, you may file your claim in the appropriate court to resolve both matters together. You can see a description of the amounts allowed in the paragraph above, titled "Small Claims Court."
- Agree with the plaintiff's claim and pay the money. Or, if you can't pay the money now, go to your trial and say you want to make payments.
- Let the case "default." If you don't settle and do not go to the trial (default), the judge may give the plaintiff what he or she is asking for plus court costs. If this happens, the plaintiff can legally take your money, wages, and property to pay the judgment.

What if I need more time?

You can change the trial date if:

- You cannot go to court on the scheduled date (you will have to pay a fee to postpone the trial), *or*
- You did not get served (receive this order to go to court) at least 15 days before the trial (or 20 days if you live outside the county).

Ask the Small Claims Clerk about the rules and fees for postponing a trial. Or fill out form <u>SC-150</u> (or write a letter) and mail it to the court *and* to all other people listed on your court papers before the deadline. Enclose a check for your court fees, unless a fee waiver was granted.

Need help?

Your county's Small Claims Advisor can help for free.

Or go to www.courts.ca.gov/smallclaims/advisor.

* Exceptions: Different limits apply in an action against a defendant who is a guarantor. (See Code Civ. Proc., § 116.220(c).) Limits do not apply in an action to recover COVID-19 rental debt. (See Code Civ. Proc., §§ 116.223 & 1179.02; form SC-500.)

SC-100

La **"Corte de reclamos menores"** es una corte especial donde se deciden casos por \$12,500 o menos. Los individuos, o sea las "personas físicas" y los propietarios por cuenta propia, pueden reclamar hasta \$12,500. Las corporaciones, asociaciones, entidades públicas y otras empresas solo pueden reclamar hasta \$6,250. (Vea abajo para las excepciones.*) El proceso es rápido y económico. Las reglas son sencillas e informales. Usted es el Demandado—la persona que se está demandando. La persona que lo está demandando es el Demandante.

¿Necesito un abogado? Puede hablar con un abogado antes o después del caso. Pero no puede tener a un abogado que lo represente ante la corte (a menos que se trate de una apelación de un caso de reclamos menores).

¿Cómo me preparo para ir a la corte? No tiene que presentar ningún documento antes del juicio, a menos que piense que ésta es la corte equivocada para su caso. Pero lleve al juicio cualquier testigos, recibos y pruebas que apoyan su caso. Y lea "Esté preparado para su juicio" en www.courts.ca.gov/reclamosmenores/preparese.

¿Qué hago si necesito una modificación? Si tiene una discapacidad o tiene impedimentos de audición, llene el formulario MC-410, *Solicitud de modificaciones para discapacidad*. Entregue el formulario al secretario de la corte o al Coordinador de Acceso/ADA de su corte.

¿Qué pasa si no hablo bien inglés? Solicite un intérprete al secretario de la corte lo más pronto posible. Puede usar el formulario INT-300 o un formulario de su corte local. Si no está disponible un intérprete de la corte para su juicio, es posible que se tenga que cambiar la fecha de su juicio. No puede llevar su propio intérprete para el juicio a menos que el intérprete haya sido aprobado por la corte como un intérprete certificado, registrado, o provisionalmente calificado. (Vea la regla 2.893 de las Reglas de la Corte de California, y el formulario INT-140.)

¿Dónde puedo obtener los formularios de la corte que necesito? Vaya a cualquier edificio de la corte, la biblioteca legal de su condado, o imprima los formularios en www.courts.ca.gov/smallclaims/forms (página está en inglés).

¿Qué pasa en el juicio? El juez escuchará a ambas partes. El juez puede tomar su decisión durante la audiencia o enviársela por correo después.

¿Qué pasa si pierdo el caso? Si pierde, puede apelar. Tendrá que pagar una cuota. (El Demandante no puede apelar su propio reclamo.)

- Si estuvo presente en el juicio, llene el formulario SC-140, Aviso de apelación (Notice of Appeal). Tiene que presentarlo dentro de 30 días después de que el secretario le entregue o envíe la decisión (fallo) del juez en el formulario SC-200 o SC-130, Aviso de publicación del fallo (Notice of Entry of Judgment).
- Si no estuvo en el juicio, llene y presente el formulario SC-135, Aviso de petición para anular el fallo y Declaración para pedirle al juez que anule el fallo (decisión). Si la corte no le otorga un nuevo juicio, tiene 10 días para apelar la decisión. Presente el formulario SC-140.

Para obtener más información sobre las apelaciones, vea www.courts.ca.gov/reclamosmenores/apelaciones.

¿Tengo otras opciones? Sí. Si lo están demandando, puede:

• Resolver su caso antes del juicio. Si usted y el Demandante se ponen de acuerdo en cómo resolver el caso antes del juicio, el Demandante tiene que presentar el formulario CIV-110 Solicitud de desestimación (Request for Dismissal) o un acuerdo de resolución escrito y firmado al secretario de la corte. Pídale al Asesor de Reclamos Menores que lo ayude.

- **Probar que es la corte equivocada.** Envíe una carta a la corte *antes* del juicio explicando por qué cree que es la corte equivocada. Pídale a la corte que despida el reclamo.Tiene que entregar (dar) una copia de su carta (por correo o en persona) a todas las partes. (Su carta a la corte tiene que decir que hizo la entrega.)
- Ir al juicio y tratar de ganar el caso. Lleve testigos, recibos y cualquier prueba que necesite para probar su caso. Si desea que la corte emita una orden de comparecencia para que los testigos vayan al juicio, llene el formulario SC-107, *Citatorio de reclamos menores* (Small Claims Subpoena) y entrégueselo legalmente al testigo.
- Demandar a la persona que lo demandó. Si tiene un reclamo contra el Demandante, y el reclamo se puede presentar en la corte de reclamos menores, tal como se describe en este formulario, puede presentar el formulario SC-120, Reclamo del demandado (Defendant's Claim) y presentarlo en este mismo caso. Si su reclamo excede el límite permitido en la corte de reclamos menores, puede igualmente presentarlo en la corte de reclamos menores si está dispuesto a limitar su reclamo al máximo permitido, o puede presentar un reclamo por el monto total en la corte apropiada. Si su reclamo excede el límite permitido en la corte de reclamos menores y está relacionado con el mismo contrato, transacción, asunto o acontecimiento que el reclamo del Demandante, puede presentar su reclamo en la corte apropiada y presentar una moción para transferir el reclamo del Demandante a dicha corte, para poder resolver los dos reclamos juntos. Puede ver una descripción de los montos permitidos en el párrafo anterior titulado "Corte de reclamos menores".
- Aceptar el reclamo del Demandante y pagar el dinero. O, si no puede pagar en ese momento, vaya al juicio y diga que quiere hacer los pagos a plazos.
- No ir al juicio y aceptar el fallo por falta de comparecencia. Si no llega a un acuerdo con el Demandante y no va al juicio (fallo por falta de comparecencia), el juez le puede otorgar al Demandante lo que está reclamando más los costos de la corte. En ese caso, el Demandante legalmente puede tomar su dinero, su sueldo o sus bienes para cobrar el fallo.

¿Qué hago si necesito más tiempo? Puede cambiar la fecha del juicio si:

- No puede ir a la corte en la fecha programada (tendrá que pagar una cuota para aplazar el juicio), o
- No le entregaron los documentos legalmente (no recibió la orden para ir a la corte) por lo menos 15 días antes del juicio (ó 20 días si vive fuera del condado).

Pregúntele al secretario de reclamos menores sobre las reglas y las cuotas para aplazar un juicio. O llene el formulario SC-150 (o escriba una carta) y envíelo antes del plazo a la corte y a todas las otras personas que figuran en sus papeles de la corte. Adjunte un cheque para pagar los costos de la corte, a menos que le hayan dado una exención.



¿Necesita ayuda? El Asesor de Reclamos Menores de su condado le puede ayudar sin cargo.

O visite www.courts.ca.gov/reclamosmenores/asesores.

* Excepciones: Existen diferentes límites en un reclamo contra un garante. (Vea el Código de Procedimiento Civil, sección 116.220 (c).) Los límites no se aplican a las acciones para reclamar una deuda de alquiler del COVID-19. (Vea el Código de Procedimiento Civil, secciones 116.223 y 1179.02; y el formulario SC-500.)

Rev. January 1, 2024

Reclamo del Demandante y ORDEN Para Ir a la Corte de Reclamos Menores SC-100, Page 6 of 6

For your protection and privacy, please press the Clear This Form button after you have printed the form.

Print this form Save this form



(1)		SC-100, item 1 or 2.	or entity suing)	, list their information below
\sim	_			
	Other plaintiff's name: Street address:		F	Phone:
	City:	State:	Zip:	
	Is this plaintiff doing business un	der a fictitious name?	$\frac{1}{\text{Yes}} \square \text{No If yes},$	attach form SC-103.
	Other plaintiff's name:			
	Street address:		F	Phone:
	City:	State:	Zip:	
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	Is this plaintiff doing business un			
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$\langle \rangle$	below:		, ,,	,,,
	Other defendant's name:			
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	City:	State:	Zip:	
	-			st the person or agent authorized for
	If this defendant is a corporation,	, limited liability company	, or public entity, li	si ine person or ageni aanorizea jor
	If this defendant is a corporation, service of process:			
	<i>If this defendant is a corporation,</i> <i>service of process:</i> Name:	Jo	o title, if known:	
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3	If this defendant is a corporation, service of process: Name: Address: City: City: Check here if your case is ag	Jo State: State: din \$2,500? Yes	o title, if known: Zip: dants, and fill out a □ No	nd attach another form SC-100A.
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to Go to Small Claims Court)

	SC-103	Fictitious Busine	ess Name	Case	Number:	
	This form is attache	ed to: 🗌 Form SC-100	Form SC	-120 🗌 Form	SC-500	
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(2)	The business li	isted in ① does bus	iness as (check	ONLY one):		
	an individualan associationa partnership	🗌 a	corporation limited liability con her (specify):	mpany		
		e laws for fictitious busine name statement in your co nse.				
3	Name of count	y where you filed yo	ur Fictitious B	usiness Name	Statement (dba):
4	Your Fictitious	Business Name Sta	tement numbe	er:		
5	Date your Ficti	tious Business Nam	e Statement ex	xpires:		
6	•	alty of perjury under the l wner, president, chief ex				
	Date:					
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	Type or print your	name and title		Sign your name		
			You Vou	ed help? r county's Small C go to "County-Spec v.courts.ca.gov/self	ific Court Inform	mation" at
Rev. No Code of	Council of California, www.courts wember 1, 2021, Optional Form Civil Procedure, § 116.430 c. and Professions Code, § 17000		titious Busine (Small Claim			SC-103, Page 1 of 1
For yo	s and Professions Code, § 17900 our protection and priva Form button after you ha	acy, please press the Clear	Print this form	Save this form]	Clear this form

SC-104B

What is "service"?

"Service" or "serving" is when someone—*not you or anyone else listed in this case*—gives a copy of your court papers to the person, business, or public entity you are suing. Service lets the other party know:

- What you are asking for;
- When and where the trial will be; and
- What the party can choose to do.

There are strict rules for serving court papers. This form explains how to serve these forms:

- Form SC-100, Plaintiff's Claim
- Form SC-120, Defendant's Claim
- Form SC-500, Plaintiff's Claim (COVID-19 Rental Debt)

How is service done?

This form tells you how to serve by *personal* service or *substituted* service.

Personal service means someone gives the papers directly to the person being sued or to the agent authorized to accept service (business or public entity).

Substituted service means someone gives the papers to an adult where the person lives, works, or receives mail (including a private post office box, but not a U.S. Postal Service P.O. Box).

What if the court papers do not get served?

The judge cannot hear your case unless the court papers were served correctly.

Can the court serve the papers for me?

Yes. You can pay the court to mail your claim to the person you are suing. But if the person you are suing or the person's agent for service doesn't sign the U.S. Postal Service mail receipt with his or her complete name, or if someone else signs the receipt, you will have to serve again using personal or substituted service.

Who can serve?

You can ask a friend, a process server, or the sheriff. The server must be at least 18 and not listed in the case.

A "process server" is someone you pay to deliver court forms. Look in the *Yellow Pages* under "Process Serving." The sheriff (or marshal if your county has one) can also deliver court forms. Ask the court clerk how to contact the sheriff. Or look in the county section of your phone book under "Sheriff." You must pay the server, unless you qualify for a fee waiver.

How is personal service done?

Ask someone who is at least 18 and not listed in this case to personally "serve" (give) a copy of your court papers to the person or the agent authorized to accept court papers for the person, business, or public entity listed on form SC-104.

Give the server a separate *Proof of Service* form for each person, business, or public entity you are suing. And tell the server to:

- Walk up to the person to be served.
- Say, "These are court papers."
- Give the person copies of all papers checked on form SC-104, *Proof of Service*. If the person won't take the papers, just leave them near the person. It doesn't matter if the person tears them up.
- Fill out and sign page 2 of form SC-104, *Proof of Service*.

How is substituted service done?

If you don't want to use personal service or can't find the person to be served, ask someone who is at least 18 and not listed in this case to serve the court papers.

Give the server a separate *Proof of Service* form for each person, business, or public entity you are suing. Tell the server to give the papers to:

- A competent adult (at least 18) at the home of and living with the person to be served *or*
- An adult who seems to be in charge where the person to be served usually works *or*
- An adult who seems to be in charge where the person receives mail (including a private mailbox, but **not** a U.S. Postal Service P.O. Box). *Note:* This is only for cases where the physical address of the person to be served is not known.

Then do the following:

- Write down that person's name and say, "Please give these court papers to [*name of person to be served*]." If the person does not want to give his or her name, describe the person you served.
- Give that person copies of all papers checked on form SC-104, *Proof of Service*. If the person won't take the papers, just leave them near the person.
- Mail another copy of the papers (by first-class mail) to the person being sued at the same address where you left the papers.
- Fill out and sign page 2 of form SC-104, *Proof of Service*.

What does the server do with the original *Proof of Service* form?

If a process server or sheriff served the papers, he or she can file form SC-104, *Proof of Service*, with the clerk. If the server used a different *Proof of Service* form, ask him or her to list each paper served on the form. Also make sure that the registered server will file the original directly with the court and will mail you a copy of the filed form. Take it with you when you go to court.

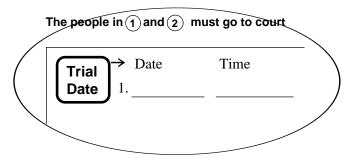
If a friend served the papers, tell him or her to give the completed form back to you. Keep a copy for your records and take the copy with you when you go to court.

You need to file the original completed *Proof of Service* form **5 days before** your trial.

When do the court forms have to be served?

• If you are serving form SC-100, *Plaintiff's Claim*, or form SC-500, *Plaintiff's Claim (COVID-19 Rental Debt)*, look at the trial date on page 1. Then, look at a calendar.

For *personal* service, subtract 15 days from the trial date (or 20 days if the person, business, or public entity is located outside the county). That's the deadline for serving your small claims forms. But you can serve the forms before the deadline.



For *substituted* service, subtract 25 days from the date the server mailed a copy of the court papers served (or 30 days if the person, business, or public entity is located outside the county). That's the deadline for serving your small claims forms. But you can serve the forms before the deadline.

If the person, business, or public entity to be served is outside California or if you are serving a different form, ask the Small Claims Advisor for more information.

• If you are serving form SC-120, *Defendant's Claim*, look at the trial date on page 1. Then look at a calendar.

For *personal* or *substituted* service, subtract 5 days from the trial date. That's the deadline for serving your small claims forms if you were served at least 11 days before the trial. If you were served 10 days or less before the trial date, you must serve at least 1 day before the trial. But you can serve the forms before the deadline.

What if I can't get the court papers served before the trial?

If you were not able to serve your claim (form SC-100, SC-120, or SC-500) before the deadline for service, talk to your Small Claims Clerk. Each county has its own rules.

If you already served your claim on some parties but not everyone you are suing, you may need to fill out and file form SC-150, *Request to Postpone Trial*, at least 10 days before the trial date (or explain why you couldn't meet the 10-day deadline). Then give or mail a copy of this form to all other plaintiffs and defendants listed on your court papers.

The court may postpone your trial for 15 days or more.

Who do I have to serve?

If you are suing a person (or people)—not a business or public entity—serve each person you are suing. For example, if you were in a car accident and you are suing the owner and the driver of the car, you must list the names of the owner *and* the driver on your claim and serve both people.

Examples:

If the owner and driver are the same person: Lee Smith, owner and driver

If the owner and driver are not the same person: Lee Smith, owner and driver Bob Smith, owner

If you are suing a business, an association, or a public entity, read form SC-104C, *How to Serve a Business*.



Need help?

Your county's Small Claims Advisor can help for free.

Or go to "County-Specific Court Information" at www.courts.ca.gov/selfhelp-smallclaims.htm

Rev. November 1, 2021 What	Is "Proof of Se (Small Claims)	rvice"?	SC-104B , Page 2 of 2
For your protection and privacy, please press the Clear This Form button after you have printed the form.	Print this form	Save this form	Clear this form

SC-104 Proof of Service	Clerk stamps date here	when form is filed.
Use this form to serve a person , a business , or a public entity . To learn more about proof of service, read <i>What Is "Proof of Service"?</i> , Form SC-104B. To learn more about how to serve a business or entity, read <i>How to Serve a</i> <i>Business or Public Entity</i> , Form SC-104C. To serve a business , you must serve one of the following people: • Owner (for a sole proprietorship) • Partner (for a partnership) or general partner (for a limited partnership) • Any officer or general manager (corporation or association)		
 Any person authorized for service by the business (corporation, association, 		
 general partnership, limited partnership) Any person authorized for service with the Secretary of State (corporation, association, limited liability company [LLC], limited liability partnership [LLP], limited partnership) 	Fill in court name and st Superior Court of Ca	
To serve a public entity, you must first file a claim with that entity, then serve one of the following people:Clerk (of a city or county)		
 Chief officer or director (of a public agency) 	Fill in case number, case	
• Any person authorized for service by the entity	day, time, and departme	nt below:
 a. If you are serving a person, write the person's name below: b. If you are serving a business or entity, write the name of the business or entity, the person authorized for service, and that person's job title: 	Case Name:	
Business or Agency Name	Hearing Date:	
Person Authorized for Service Job Title	Time:	Dept.:
 (2) Instructions to Server: You must be at least 18 years old and not be named in this case. Follow Give a copy of all the documents checked in (3) to the person in (1), or Give a copy of all the documents checked in (3) to one of the following a. A competent adult (at least 18) living with, and at the home of the p b. An adult (at least 18) who seems to be in charge at the usual workp c. An adult (at least 18) who seems to be in charge where the person in (but not a U.S. Post Office box), if there is no known physical addre and mail a copy of the documents left with one of the adults in a, b, or THEN Complete and sign this form, and Give or mail your completed form to the person who asked you to serv the form to be filed with the court at least 5 days before the hearing. 	g people: erson in (1), or ace of the person in (n (1) usually receives r ss for the person in (1) c above to the person	$\begin{array}{l} \text{mail} \\ \text{j.} \\ \text{in} (1). \end{array}$
(3) I served the person in (1) a copy of the documents check	ed below:	
 a. SC-100, Plaintiff's Claim and ORDER to Go to Small Claims Cou b. SC-120, Defendant's Claim and ORDER to Go to Small Claims Cou c. Order for examination (This form must be personally served. Check Note: The court can issue a civil arrest warrant if the served party does examination was personally served by a registered process server, sheriff (1) SC-134, Application and Order to Produce Statement of A (2) AT-138/EJ-125, Application and Order for Appearance and Statement of A 	rt ourt k the form that was se not come to court only i f, marshal, or someone of ssets and to Appear fo	f the order for appointed by the court.

d. \Box Other (*specify*):

		Case Number:					
Case	name:						
(4)	Fill out "a" or "b" below:						
Ċ	a. Personal Service: I personally gave copies of the documents checked in 3 to the person in 1 :						
	On (<i>date</i>): At (<i>time</i>):						
	At this address:	*					
		State: Zip:					
		of the documents checked in (3) (<i>a</i> , <i>b</i> , or <i>d</i>) to (<i>check one</i>):					
	\square A competent adult (at least 18) at the home of, and living with the person in $\textcircled{1}$, or						
	An adult who seems to be in charge where						
	An adult who seems to be in charge where the person in (1) usually receives mail , or has a private post office box (not a U.S. Post Office box), if there is no known physical address for the person in (1).						
	I told that adult, "Please give these court papers to \mathbf{L} did to \mathbf{L} to \mathbf{L}						
		$At (time): _ _ a.m. \square p.m.$					
	At this address:						
		State: Zip:					
	Name or description of the person I gave the paper	rs to:					
	 by leaving it (check one): a. At a U.S. Postal Service mail drop, or b. At an office or business mail drop where I I U.S. Postal Service, or 	from (<i>city, state</i>): know the mail is picked up every day and deposited with the uments to the person in (1), and I have attached that person's					
(5)	Server's Information						
\bigcirc		Phone:					
	Address:						
	City:	State: Zip:					
	Fee for service: \$						
	If you are a registered process server:						
	County of registration:	Registration number:					
6	I declare under penalty of perjury under California state law that I am at least 18 years old and not named in this case and that the information above is true and correct.						
	Date:						
	Type or print server's name	Server signs here after serving					

Case Number:

Zip

SC-104A Proof of Mailing (Substituted Service)

✓ This form is attached to Form SC-104. Use this form ONLY if you mailed the documents in ① and someone else personally gave them to the person, business, or public entity served.

Notice to Server

You must:

- Be at least 18 and not listed in this lawsuit.
- Fill out (1)–(6) of this form and attach it to Form SC-104.

1) Documents served by mail:

- a.
 SC-100, Plaintiff's Claim and ORDER to Go to Small Claims Court
- b. SC-120, Defendant's Claim and ORDER to Go to Small Claims Court
- c. Other (*specify*):

2) Name and address of the person, business, or public entity served:

a. If you served a **person**, write the person's name and address below:

Name:

Address:

- Street City State
- b. If you served a **business** or **public entity**, write the name and address of the business or public entity, the person authorized for service, and that person's job title:

Business or Public Entity Name	Person Author	Person Authorized for Service			
Address:					
Street	City	State	Zip		

3 I put copies of the documents listed in 1 above in an envelope, sealed the envelope, and put first-class prepaid postage on it. I addressed the envelope to the person, business, or public entity listed in 2 and mailed the envelope by leaving it at (*check one*):

a. 🗌 A U.S. Postal Service mail drop or

b. An office or business mail drop where I know the mail is picked up every day and deposited with the U.S. Postal Service.

(**4**) I mailed the envelope:

a. On (*date*):______ b. From (*city, state*):______

5) My address is:

6) I declare, under penalty of perjury under California State law, that the information above is true and correct.

Date: _____

Type or print server's name

Server signs here after mailing

SC-104C How to Serve a Business or Public Entity (Small Claims)

You must serve the *right* person and write the *exact* name of the business and the person to be served. Use this form to make sure you serve correctly, and follow the instructions on *Proof of Service*, form SC-104.

Business Type:	Sole Proprietorship (Only 1 owner)	Partnership	Landlord	Corporation, Association	Limited Liability Company (LLC), Limited Liability Partnership (LLP), Limited Partnership (LP)	Unknown Business Type
Serve:	The owner	If you are suing a partnership , serve one of the partners. If you are suing a partnership and the partners, serve each partner.		Agent for service listed with Secretary of State or any corporate officer (president, vice-president, secretary, treasurer), chief executive officer (CEO), controller, chief financial officer, or general manager	Agent for service listed with Secretary of State To serve a limited partnership, you can also serve the general partner.	Someone who seems to be in charge of the business during normal business hours
Write on your Proof of Service form:		 Partnership name Name of partner, general manager, or agent for service and job title 	 Business name (if there is one) Owner's name and job title 	 Corporation name Name of corporate officer or agent for service and job title 	 Company or partnership name Name of agent or partner for service and job title 	 Business name, form unknown Owner's name and job title (<i>if</i> <i>you know it</i>)
Check that you have the <i>exact</i> names of the owner and business with:	Assessor's Office (business name star Web site may have Check: www.csac.co • City Clerk's Office (Dunties.org. Ask to see the Your city's website may	County Tax Collector	of State website: <u>businesssed</u> Or call: 1-916-657-5448 County Clerk–Recorder's Offic name statement.) Your county	OR ce: (Ask to see the fictitious business /'s website may have this information. OR e the business license.) Your city's	Try the other resources listed on this page to see if they know more about the business's organization type, like corporation or sole proprietorship.



Need help?

For free help, contact your county's Small Claims Advisor:

Or, go to "County-Specific Court Information" at: www.courts.ca.gov/selfhelp/smallclaims

SC-104C How to Serve a Business or Public Entity (Small Claims)

You must serve the *right* person and write the *exact* name of the public agency and the person to be served. Use this form to make sure you serve correctly, and follow the instructions on *Proof of Service*, form SC-104.

	City, County, or Public Entity	State of California, State Agency	Federal Agency
Serve:	City or county clerk, chief officer or director of public agency, or agent authorized to accept service	Use this general address for service: Office of the Attorney General 1300 I Street Sacramento, CA 95814 <i>Exception:</i> if your claim involves California Department of Transportation (Caltrans), serve it at: California Department of Transportation 1120 N Street Sacramento, CA 95814	You cannot sue a federal agency in small claims court.
	<i>Important!</i> Before you sue, you must <i>first</i> file a claim with the public entity. Contact it and ask for the claim procedures.	Note: Before you sue, you must first file a claim with the state or the state agency. To file a claim, see: www.dgs.ca.gov/orim/Programs/ GovernmentClaims.aspx or call: 1-800-955-0045	-
•	 Name of city, county, or public entity Name of city clerk, county clerk, chief officer, or agent for service and job title 	 Name of the agency you are suing Name of agent for service 	-
have the <i>exact</i> names of the owner and	Call the city or county clerk. See the government pages of your phone book. Or search under the California Roster at the California Secretary of State website: www.sos.ca.gov/administration/california-roster/	Call the agency to confirm the name and address for service. Use the State Directory: 1-800-807-6755 Or search: <i>cold.ca.gov</i> under "agency information"	



Need help?

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