

# Small Claims Court



CARROLL COUNTY MUNICIPAL COURT  
Third Floor Courthouse, Carrollton, Ohio

Pamphlet Volume 1, Issue 2



## What To Do To Sue

### Of Special Interest:

BE ON TIME FOR COURT

DRESS APPROPRIATELY

BE ORGANIZED TO TELL  
YOUR STORY

The purpose of this pamphlet is to help you with filing and presenting in Court your small claims action. The form you will need is available at the Court.

You can not sue for more than \$3,000.00 in Small Claims Court. You can only sue for money. If you want some item returned to you, the Small Claims Court is not where you can file to have an item returned to you. You can not sue in Small

Claims Court for pain or suffering if you were hurt in an accident.

### Step 1:

You must have the address of the person you wish to sue. Without that you will never get into court. Fill in your address and the name and address of the person you want to sue.

### Step 2:

If you are suing for an

unpaid bill, check the box that says ACCOUNT and attach a copy of the bill. If you are suing for something else, check the box that says OTHER and print a brief explanation.

### Step3:

Be sure to fill in the dollar amount that you are suing for.

Step 4: Sign the form ONLY in front of a Court Clerk or a Notary Public.

## What To Do If Sued

### Attention:

The Clerk and Deputy Clerks of the Carroll County Small Claims Court can not give you any advice on your case. They are not lawyers and giving advice is practicing law which is illegal by someone who is not a lawyer.

The purpose of this section of the pamphlet is to help you with responding to a small claims lawsuit if you are sued. You do NOT have to file a written response to a small claims lawsuit. You DO have to appear in Court on the day of the trial if you dispute the claim filed against you.

### Step 1:

If you want to fight the claim filed against you, be in Small Claims Court on the

day of your hearing.

### Step 2:

Bring with you any documents that you think will be important to show to the Judge.

### Step 3:

Plan ahead what you want to tell the Judge why you do not feel you owe any money to the person who is suing you.

### Step 4:

If you want to sue the person who is suing you, immediately go to the Court and file a counter-claim against them. You will need a form that is available at the Court. (Read the 4 steps above as well)



*“Be respectful. Do not interrupt the Judge or the other person who may be speaking.”*

This pamphlet was written and published by Judge Charles A. Johnston

© 2008

## The Court Hearing

2

On your hearing date these are the things you can expect to happen.

### Step 1:

You will be sworn in, asked to raise your right hand and swear to tell the truth, nothing but the truth.

### Step 2:

The Judge will ask the person who first filed the law suit (the Plaintiff) to tell the Court their story. If there are documents that are important, they should be given to the Judge at the beginning of the story. A copy of those documents must be given to the person that is being sued as well. A copy should be kept by the Plaintiff.

### Step 3:

Just because someone filed a small claims law suit against another person, the Plaintiff will not win unless the Plaintiff convinces the Judge that the money is really owed. The better organized as to what you want to say and present to the Judge the easier it will be for him to understand why you think you should win. To read a statement may not be the best way to

present your case but to have notes for an outline or guidance is acceptable.

### Step 4:

The Judge will often ask you questions even in the middle of your presentation. Don't be surprised by his questions. Try to answer them succinctly and to the point. Then resume with your case presentation.

### Step 5:

If you have a witness you want to say something, tell the Judge after you have said all you want to say. The Judge will decide if he wants to then listen to the witness now or later.

### Step 6:

The person being sued (the Defendant) will then be given time to respond with their side of the story. If there are important documents you want the Judge to see, give them to him at the beginning of your presentation with a copy to the Plaintiff and keep a copy for yourself.

### Step 6:

Be organized and to the point as to why you do not feel you owe any money to

the person who sued you. Remember the Judge may interrupt you with questions. Be ready to answer those questions succinctly and to the point. Then resume your presentation.

### Step 7:

If you have a witness you want to say something, tell the Judge after you have finished.

### Step 8:

If you are suing the person who sued you for money, it is now the time to tell the Judge why you are owed money. Have your reasons well organized and tell the Judge why you think you are the one who is owed money.

### Step 9:

If you have a witness you want to testify for the case as to why you are owed money, be sure to tell the Judge. He will decide if he wants to listen to that person now or later.

### Step 10:

The Judge will decide the case either immediately or after he takes it under consideration.

## The Carroll County Municipal Court

JUDGE CHARLES A. JOHNSTON

119 S. Lisbon St. Suite 301

Carrollton, Ohio 44615

330-627-5049