

**Sharon R. Bock**  
**CLERK & COMPTROLLER**  
**SELF SERVICE CENTER**

**Your Guide Through The Courts**



**Packet #46**

*Revised 09/2014*

**SMALL CLAIMS**  
**STATEMENT OF CLAIM**

**(NOT TO BE USED TO CLEAR OR OBTAIN TITLE FOR MOTOR VEHICLES)**

**NON-REFUNDABLE**

**(17 PAGES)**

**\$5.00**

## **SELF SERVICE CENTER SERVICES**

All instructions and forms distributed by the Clerk & Comptroller are provided as a public service to persons seeking to represent themselves in court without the assistance of an attorney. These documents are meant to serve as a guide only, and to assist *pro se* (self-represented) litigants with their cases. Any person using these instructions and/or forms does so at his or her own risk, and the Clerk shall not be responsible for any losses incurred by any person in reliance on the instructions and/or forms.

Attorney Consultation*	\$15.00/15 minutes
Attorney Consultation*	\$30.00/30 minutes
Attorney Consultation*	\$60.00/60 minutes
Deputy Clerk Signing	\$3.50/signature
Notary signing	\$10.00/signature
Copies prior to filing	\$.15/page
Single Forms	\$1.00/page
Fax Services	\$1.00/page
Community Resource Referral- pamphlets	NO FEE

\* Attorneys do not provide legal advice - will assist on procedural matters/filing out legal forms

**\*\*FEES ARE SUBJECT TO CHANGE WITHOUT NOTICE\*\***

You may file and obtain information at the following locations:

Palm Beach County Courthouse  
205 N. Dixie Highway, Rm #2.2200  
West Palm Beach, Florida 33401  
561-355-7048

North County Courthouse  
3188 PGA Blvd  
Palm Beach Gardens, Florida 33410  
561-624-6650

South County Courthouse  
200 W. Atlantic Ave.  
Delray Beach, Florida 33444  
561-274-1588

West County Courthouse  
2950 State Road 15, Rm. #S-100  
Belle Glade, Florida 33430  
561-996-4843

*The Self Service Information Line*  
*Unified Family Court Dept. (for information regarding an existing case)*  
*Visit us at our web site*  
*Legal Aid Society (if you can't afford an attorney)*  
*Lawyer Referral Service of the PBC Bar Association*

(561) 355-7048  
(561) 355-6511  
[www.mypalmbeachclerk.com](http://www.mypalmbeachclerk.com)  
(561) 655-8944  
(561) 687-3266  
Revised 05/2013

# SMALL CLAIMS ACTION

# 46

## When should this form be used?

This form should be used for civil actions in the county courts in which the demand or value of property involved does not exceed \$5,000.00 exclusive of costs, interest, and attorneys' fees.

When considering whether or not you should file a lawsuit, you should ask yourself the following questions:

- Have I tried all possible and/or reasonable means to reach a settlement?
- Do I have, or am I able to obtain, the necessary evidence to prove my claim?
- Do I know the correct legal name and address of the defendant?

## NOT TO BE USED TO CLEAR OR OBTAIN TITLE FOR MOTOR VEHICLES

### Petitioner must complete and file the following forms:

	Page
Civil Cover Sheet	8
Statement of Claim	9

### This form should be completed and filed, IF APPLICABLE

	Page
Authorization of Corporate Officer	10
<i>Use this form if you are a corporation (company) and are suing a person and will have someone from your company represent you at a pre-trial conference/hearing who is authorized to make decisions on behalf of your company.</i>	
Designation of Current Mailing and E-Mail Address and Directions to Provide E-Mail Address to Court Administration, A.O. 2.310 (04/13)	14
Notice of Change of Address, (09/14) ( <i>Must be filed whenever you change your address</i> )	17

### Fees:

All Claims <u>less than</u> \$100.00	\$ 55.00*
All Claims of \$100.00 <u>or more, but not more than</u> \$500	\$ 80.00*
All Claims of <u>more than</u> \$500.00, <u>but not more than</u> \$2,500	\$175.00*
All Claims for <u>more than</u> \$2,500.00, <u>but not more than</u> \$5,000	\$300.00*

### Additional Fees:

**Summons Issue Fee per Summons** \$ 10.00\*

**Sheriff Service Fee per Summons:** (payable to PBSO by check or money order) \$ 40.00

*If the defendant resides outside of Palm Beach County, it is **YOUR RESPONSIBILITY** to contact the Sheriff's Office of that county in order to have the defendant served with the proper documents. The original proof of service must be returned to the Clerk.*

\* Fees may be paid by cash, credit card, your personal check or money order payable to Sharon R. Bock, Clerk & Comptroller, Palm Beach County.

If you do not have the money to pay the filing fee, you may obtain an Application for Determination of Civil Indigent Status from the clerk, fill it out, and the clerk will determine whether you are eligible to have filing fees deferred.

## **RIGHT TO VENUE**

The law gives the person or company who initiates a lawsuit the right to file in any one of several places. However, the defendant(s) has the right to request that the case be moved to a proper location or venue, which may be one of the following:

1. Where the contract was entered into.
2. If the suit is on an 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 of the defendants sued resides.
6. Any location agreed to in a contract.
7. In an action for money due, if there is no agreement as to where the suit may be filed, where payment is to be made.

## **INSTRUCTIONS FOR FILING**

▪ The forms should be typed or printed in black ink.

### **COMPLETING THE FORMS**

- The Plaintiff (person who is suing) must complete and file the originals and 2 sets of copies of the Statement of Claim and Civil Cover Sheet with any attachments, if you have more than (1) one defendant, provide a copy for each defendant in your case. Pay the filing fee, the summons issuance fee and the service summons fee.
- Each *original* form should have all pages clipped together before filing (copies may be stapled together).
- If you want your copies stamped with the date of filing, make sure you give the Clerk your copies. (If you mail your documents, make sure you provide an extra pre-addressed stamped envelope so they may return your copies)
- The Clerk will process your claim and schedule your case for a Pre-Trial Conference/Mediation Hearing. A Summons/Notice to Appear for Pretrial Conference (form 7.322) will be generated upon the filing of your suit by the Clerk & Comptroller's Office (County Civil Division)
- The hearing will be scheduled 6 – 8 weeks in advance.
- Mediation may be required.

## SERVICE UPON THE DEFENDANT

- **WITH A SUMMONS** – If a summons is issued, there is a \$10.00 clerk's fee and a fee for the sheriff to serve the summons. The clerk will handle the service of your claim with the Palm Beach County Sheriff's Office **ONLY** if the other person resides in Palm Beach County. The fee for this service is \$40.00 payable to the Palm Beach County Sheriff's Office (PBSO). If the defendant resides outside of Palm Beach County, it is **YOUR RESPONSIBILITY** to contact the Sheriff's Office of that county in order to have the defendant served with the proper documents. The original proof of service must be returned to the Clerk.
- The plaintiff should have the Clerk issue the summons then attach one set of copies to the summons and mail or take the summons to the sheriff or process server in the county where the defendant resides.

### Individual

If you are suing an **individual**, you will need the defendant's name and address (a post office box cannot be served by the sheriff's department).

### Corporation

If you are suing a **corporation**, you will need to research, via the **Internet** at [www.sunbiz.org](http://www.sunbiz.org), to get the **registered agent** for the company/corporation. The registered agent's name and service address will be required. If there is no registered agent listed, you may use the name and address of one of the officers of the company/corporation.

- To research the registered agent:
  - go to [www.sunbiz.org](http://www.sunbiz.org)
  - under 'Document Searches', choose 'Corporation/Trademark/LLC/LP'
  - choose 'Inquire by Entity Name'
  - Enter the corporation's **FULL, LEGAL NAME**.
  - Click 'Search Now'
  - Select the appropriate corporation name.
  - Scroll down to retrieve the registered agent's name and service address.
  - If no registered agent's name is listed, proceed to use an officer or director of the company/corporation.
  - If no company name is listed, it is your responsibility to decide how to pursue the lawsuit.

### Insurance Company

- If you are suing an insurance company and you are serving the Florida Chief Financial Officer, a check for \$15.00 payable to the Florida Chief Financial Officer is required (a check for the sheriff will not be needed in this case).
- An extra copy of the complaint is needed.

### Secretary of State

- If you are unable to locate the other party, you will need to serve the Secretary of State by providing a check in the amount of \$8.75, payable to the Secretary of State.
- An extra copy of the complaint is needed.

## **RECEIVING PROOF OF SERVICE**

If the summons was processed by the Palm Beach County Sheriff's Office and you want a copy of the service on the defendant, please enclose a **self-addressed stamped envelope** in order for the law enforcement agency to send you a copy of the "Verified Return of Service" for your records.

If the summons was **NOT** processed by the Palm Beach County Sheriff's Office you are responsible to forward the original proof of service to the Clerk.

## **PRETRIAL CONFERENCE**

Once you have filed your claim with the Clerk & Comptroller and after the other party has been served, he/she must appear for a Pretrial Hearing see Rule 7.090. The Summons/Notice to Appear for Pretrial Hearing is scheduled approximately 6-8 weeks from the date of filing your claim.

At the pretrial conference, all of the following matters shall be considered:

1. The simplification of issues.
2. The necessity or desirability of amendments to the pleadings.
3. The possibility of obtaining admissions of fact and of documents that avoid unnecessary proof.
4. The limitations on the number of witnesses.
5. The possibility of settlement.
6. Such other matters as the court in its discretion deems necessary.

## **MEDIATION**

If your case is set for mediation, additional fees apply.

The fee must be paid 10 days prior to the mediation conference date.

You may contact Court Mediation at 561-355-2739.

The following **FEES** apply for the required court mediation session: **\$60.00 per person per session.**

Any agreements reached as a result of small claims mediation shall be written in the form of a stipulation.

## **TRIAL**

If no agreement was reached in mediation, the court shall set the case for trial not more than 60 days from the date of the pretrial conference. At least 10 days notice of trial shall be given.

**CAUTION:**

Forms are to be completed in block letters or typed; **NO EXCEPTIONS!!** Names must be the same on all forms completed by the parties (no full names on one document and initials on another). This packet may not contain all the forms you may need to file in your case. Additional forms are available in the Clerk & Comptroller's Self Service Center at each courthouse location. The Clerk & Comptroller's Clerks can not suggest specific information to be included in the blanks on your forms or fill out forms for you.

***REMEMBER!***

***PROVIDE PRE-ADDRESSED STAMPED ENVELOPES WITH YOUR PAPERS (PRINT NAME AND ADDRESS) FOR EACH PARTY ON YOUR CASE: Plaintiff, Defendant, and/or Attorney (if applicable)***

**It is your responsibility to file any change to your address on the attached form.**

IN THE COUNTY COURT OF THE FIFTEENTH JUDICIAL CIRCUIT  
IN AND FOR PALM BEACH COUNTY, FLORIDA

CASE NUMBER: \_\_\_\_\_

DIVISION: \_\_\_\_\_

IN RE: THE MATTER OF:

\_\_\_\_\_  
PLANTIFF

v.

\_\_\_\_\_  
DEFENDANT

**COUNTY & SMALL CLAIMS CIVIL COVER SHEET**

**I. TYPE OF CASE** (Place an x in one box only. If the case fits more than one type of case, select the most definitive.)

**TORTS**

- Auto negligence*
- Professional malpractice*
- Products liability*
- Other negligence*

**OTHER CIVIL**

- Challenge to proposed constitutional amendment*
- Condominium*
- Contracts*
- Civil Replevin*
- Eviction*
- Foreclosure*
- Arbitration/Foreign Judgment*
- Personal Injury Protection (PIP) (claims up to \$5,000)*
- Persona/Injury Protection (PIP) (claims from \$5,000.01-\$15,000.00)*
- Real property/Mortgage foreclosure*
- Wage Dispute (claims up to \$5,000)*
- Wage Dispute (claims from \$5,000.01-\$15,000.00)*
- Other County Civil* \_\_\_\_\_
- Small Claims other than Wage Dispute and PIP*

**II. IS JURY TRIAL DEMANDED IN COMPLAINT?**

- Yes
- No

**III. CLAIMS/PARTIES**

Has there been a previous case filed in Palm Beach County/15th Judicial Circuit which involved the same claim against the same adverse party and which was voluntarily or involuntarily dismissed?

- Yes. Please provide the appropriate case number(s) \_\_\_\_\_
- No

I CERTIFY that the information I have provided in this cover sheet is accurate to the best of my knowledge and belief.

Signature \_\_\_\_\_  
Attorney or party

Fla. Bar # \_\_\_\_\_  
(Bar # if attorney)

Date \_\_\_\_\_

\_\_\_\_\_  
(type or print name)

REV 11/2012

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**IN THE COUNTY COURT OF THE FIFTEENTH JUDICIAL CIRCUIT,  
IN AND FOR PALM BEACH COUNTY, FLORIDA**

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

\_\_\_\_\_  
Plaintiff(s)

-VS-

\_\_\_\_\_  
Defendant(s)

**STATEMENT OF CLAIM**

Plaintiff(s) :

**sues Defendant(s)**

and alleges:

1. This is an action for damages that do not exceed the sum of \$5,000.00.
2. Plaintiff(s) claim the amount of \$ \_\_\_\_\_ as being due from Defendant(s) named herein, and as the basis of this action alleges:

WHEREFORE, Plaintiff demands judgment for damages against the Defendant(s) in the sum of \$ \_\_\_\_\_, plus costs of court.

Signature: \_\_\_\_\_

Name [Print]: \_\_\_\_\_

Address: \_\_\_\_\_

City, State, Zip Code: \_\_\_\_\_

Telephone Number: \_\_\_\_\_

IN THE COUNTY COURT OF THE FIFTEENTH JUDICIAL CIRCUIT,  
IN AND FOR PALM BEACH COUNTY, FLORIDA

CASE NO. \_\_\_\_\_

\_\_\_\_\_  
Plaintiff(s)

Vs.

\_\_\_\_\_  
Defendant(s)

**AUTHORIZATION OF CORPORATE OFFICER**

\_\_\_\_\_ (name of employee) is an employee of \_\_\_\_\_  
(name of corporation that is a party to this action). This individual has authority to represent the  
corporation at any state of the trial court proceedings, including mediation.

The undersigned giving the authority is an officer of the corporation.

Pursuant to section 92.525, Florida Statutes, under penalties of perjury, I declare that I have read the  
foregoing Corporate Authorization and that the facts stated in it are true.

Date: \_\_\_\_\_ 20 \_\_\_\_\_.

SIGNING AUTHORITY: \_\_\_\_\_

Print name and title: \_\_\_\_\_

(President, vice-president, secretary, treasurer)

Address: \_\_\_\_\_

Phone number: \_\_\_\_\_

I certify that a copy of this form has been furnished to (list all parties to this action).

By \_\_\_ hand delivery, \_\_\_ mail, \_\_\_ fax on \_\_\_\_\_, 20 \_\_\_\_\_.

\_\_\_\_\_  
Name and Title: \_\_\_\_\_



THE  
**15TH JUDICIAL CIRCUIT**  
OF FLORIDA  
ADMINISTRATIVE OFFICE OF THE COURT

**E-SERVICE INSTRUCTIONS FOR SELF REPRESENTED PARTIES**

Pursuant to the Florida Rule of Judicial Administration 2.516, self-represented parties involved in any type of case in any Florida court, may, but are not required to, serve on the opposing party's attorney court documents by e-mail.

**E-mail Service to/from an Opposing Party:** Self-represented parties opting to serve court documents by e-mail may do so by designating a primary e-mail address (and up to 2 secondary e-mail addresses) for receiving service in that proceeding. This designation only informs the other side of your email address. Once a party has filed an e-mail address designation in a proceeding, all court documents required or permitted to be served on a party must be served by e-mail unless the parties otherwise agree or a court orders otherwise.

**E-Mail Service from Participating Judges:** Self-represented parties who want to receive court orders and other court documents from judges who use e-mail service **MUST** register with the 15th Judicial Circuit's online services system at <http://15thcircuit.com/html/onlineservices>. You will **NOT** receive court documents from participating judges unless and until you register with the 15th Judicial Circuit's online system.

**Form of Email:** E-mail service is made by attaching a copy of the document to be served in PDF format to an e-mail. The e-mail's subject line must state "SERVICE OF COURT DOCUMENT" in all capital letters, followed by the case number of the relevant proceeding. The body of the e-mail must identify the: (1) court in which the proceeding is pending; (2) case number; (3) name of the initial party on each side; (3) title of each document served with that e-mail; (4) sender's name; (5) sender's telephone number. The e-mail and attachments together may not exceed 5 megabytes in size; e-mails that exceed the size requirement must be divided into separate e-mails (no one of which may exceed 5 megabytes) and labeled sequentially in the subject line. Documents served by e-mail may be signed by "/s/", "/s" or "s" as long as the document filed with the Clerk's Office is signed in accordance with the applicable rule of procedure.

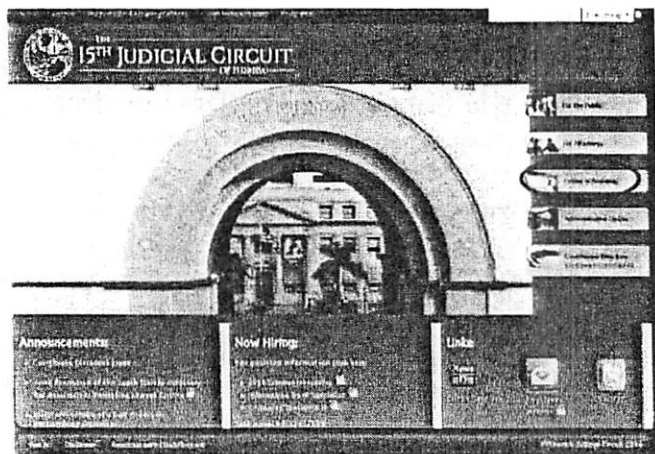
**Service Dates:** Service by e-mail is deemed complete on the date it is sent. E-mail service is treated as service by mail for the computation of time. When, in addition to service by e-mail, the sender also utilizes another means of service provided for in the Rules of Judicial Administration, the computation of time will be based on the method of service that has the shortest response time.

**Filing of Documents:** The Rules of Judicial Administration require that all documents be filed with the court either before service on the opposing party or immediately thereafter. Documents are deemed filed when they are filed with the clerk of court. If the sender learns that the e-mail did not reach the address of the person to be served, the sender must immediately send another copy by e-mail, or serve by a means authorized by subdivision (b)(2) of the Rules of Judicial Administration.

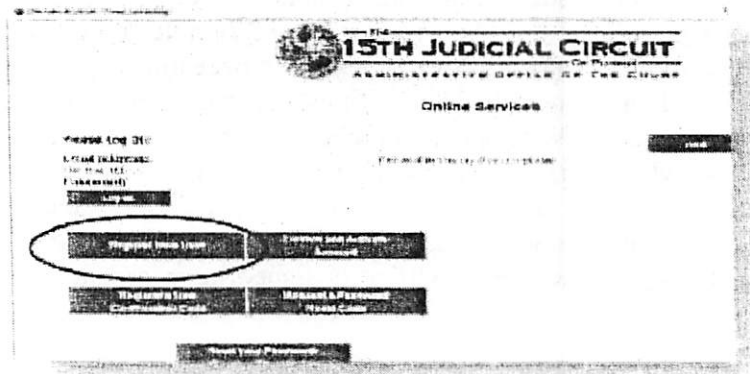


THE  
**15TH JUDICIAL CIRCUIT**  
 OF FLORIDA  
 ADMINISTRATIVE OFFICE OF THE COURT

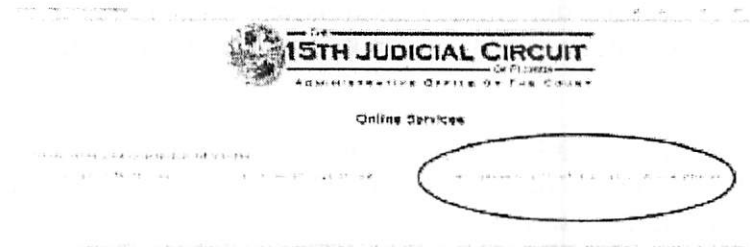
**Instructions for E-Service Registration For Self Represented Litigants**



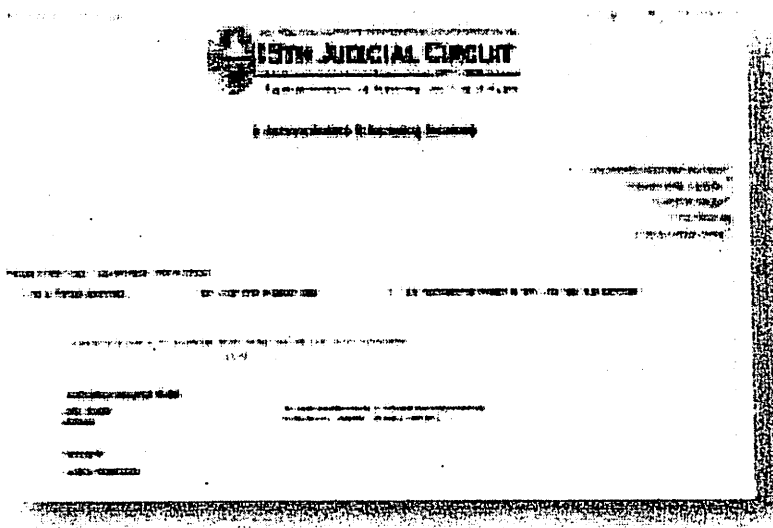
- Go to [www.15thcircuit.com](http://www.15thcircuit.com)
- Select Online Scheduling
- Select Online Scheduling Application



This will take you to the Log In Screen.  
  
 First time users click on "Register New User".



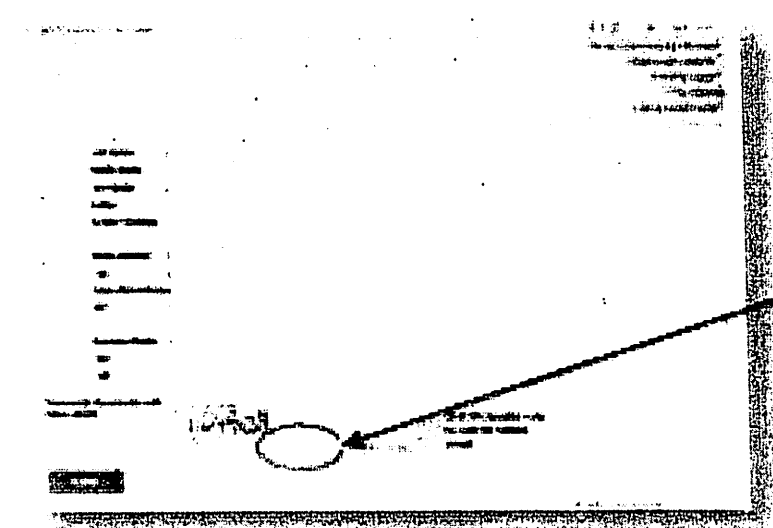
Select the "Pro se/ Pro hac vice" button



Enter the information requested in the fields provided.

**NOTE:**

The e-mail address listed here is for logging into Court e-service applications. This address is NOT FOR USE as an e-service email address unless you want it to be.



Simply type the code in the space provided and press the green submit button.

The account has now been created.  
A confirmation email will be sent to registered login email address.

**IMPORTANT:**

The user MUST accept and login within 24 hours.

IN THE CIRCUIT/COUNTY COURT OF THE FIFTEENTH JUDICIAL CIRCUIT  
IN AND FOR PALM BEACH COUNTY, FLORIDA

CASE NO.: \_\_\_\_\_

\_\_\_\_\_  
Plaintiff/Petitioner

v.

\_\_\_\_\_  
Defendant/Respondent.

**DESIGNATION OF CURRENT MAILING AND E-MAIL ADDRESS AND  
DIRECTIONS TO PROVIDE E-MAIL ADDRESS TO COURT ADMINISTRATION**

I, (full legal name) \_\_\_\_\_, being sworn, certify that  
my current mailing address is: {Street} \_\_\_\_\_  
{City} \_\_\_\_\_, {State} \_\_\_\_\_, {Zip} \_\_\_\_\_  
{Telephone No.} \_\_\_\_\_ {Fax No.} \_\_\_\_\_

I designate as my current e-mail address(es) (up to 3 different email address): \_\_\_\_\_  
\_\_\_\_\_

1. I understand that in order to receive court orders from participating judicial divisions in the Fifteenth Judicial Circuit/Palm Beach County, I must register my email address with Court Administration by going to [www.15thcircuit.com/html/onlineservices](http://www.15thcircuit.com/html/onlineservices).
2. I further understand that simply listing an email address on this form will NOT inform the judge or case manager of my email address and that I MUST register on line with the Court's online e-registration system.
3. Once registered, I agree to accept email service of court orders or documents sent by the court.
4. By completing this form I am authorizing participating Judicial Divisions and the Court of the Clerk, of the Fifteenth Judicial Circuit Court of Florida to send copies of orders/judgment, notices or other written communications to me by e-mail and not through regular U.S. Mail.
5. I understand that I must keep the clerk's office and the opposing party or parties notified of my current mailing and e-mail address(es) and that all future papers in this lawsuit will be served at the address(es) on record at the clerk's office.
6. I will ensure the software filters have been removed from my computer, so it does not interfere with my ability to receive any of the above documents.

Designation of Current Mailing and E-Mail Address and Directions to Provide E-mail Address to Court Administration (04/13)

I certify that a copy of this document was {check all used}: ( ) e-mailed ( ) mailed ( ) faxed ( ) hand-delivered to the person(s) listed below on {date}\_\_\_\_\_.

**Other party or his/her attorney**

Name: \_\_\_\_\_  
Address: \_\_\_\_\_  
City, State, Zip: \_\_\_\_\_  
Fax Number: \_\_\_\_\_  
E-Mail Address(es): \_\_\_\_\_

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

\_\_\_\_\_  
Signature of Party

STATE OF FLORIDA  
COUNTY OF PALM BEACH

Sworn to or affirmed and signed before me on \_\_\_\_\_ by \_\_\_\_\_.

\_\_\_\_\_  
NOTARY PUBLIC or DEPUTY CLERK

\_\_\_\_\_  
[Print, type, or stamp commissioned name  
of notary or clerk]

\_\_\_\_\_ Personally Known  
\_\_\_\_\_ Produced Identification  
Type of identification produced \_\_\_\_\_

**IF A NONLAWYER HELPED YOU FILL OUT THIS FORM, HE/SHE MUST FILL IN THE  
BLANKS BELOW:**

[fill in all blanks] This form was prepared for the: {choose only one} ( ) Petitioner ( ) Respondent

This form was completed with the assistance of:

{name of individual} \_\_\_\_\_  
{name of business} \_\_\_\_\_  
{street} \_\_\_\_\_  
{city} \_\_\_\_\_, {state} \_\_\_\_\_ {telephone number} \_\_\_\_\_

Designation of Current Mailing and E-Mail Address and Directions to Provide E-mail Address to Court Administration (04/13)

## INSTRUCTIONS FOR NOTICE OF CHANGE OF ADDRESS

### When should this form be used?

This form should be used when you make any changes to your mailing/e-mailing address at anytime during the course of the case.

This form should be typed or printed in black ink. You should **file** the original with the **clerk of the circuit court** in the county where the petition was filed and keep a copy for your records.

### What should I do next?

A copy of this form must be mailed or hand delivered to the other party in your case.

### Where can I look for more information?

**Before proceeding, you should read "General Information for Self-Represented Litigants" found at the beginning of these forms.** The words that are in "**bold underline**" in these instructions are defined there. For further information, see chapter 742, Florida Statutes.

### Special notes...

It is the party's responsibility to timely update their address. If you do not update your address timely, you may not receive documents filed in your case.



IN THE CIRCUIT COURT OF THE FIFTEENTH JUDICIAL CIRCUIT,  
IN AND FOR PALM BEACH COUNTY, FLORIDA

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

Division: \_\_\_\_\_

\_\_\_\_\_  
Plaintiff/Petitioner,

V.

\_\_\_\_\_  
Defendant/Respondent.

**NOTICE OF CHANGE ADDRESS**

Please be advised that the undersigned has changed their mailing address to:

Address: \_\_\_\_\_

\_\_\_\_\_

City: \_\_\_\_\_

State: \_\_\_\_\_

Zip code: \_\_\_\_\_

Phone Number: \_\_\_\_\_

Please be advised that the undersigned has changed his/her email address to the following:  
Email Address: \_\_\_\_\_

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Printed Name

**CERTIFICATE OF SERVICE**

I certify that a copy of this document was mailed to the person listed below by U.S. Mail on the following date: \_\_\_\_\_.

Other party or his/her attorney:

Name: \_\_\_\_\_

Address: \_\_\_\_\_

City, State, Zip: \_\_\_\_\_

E-Mail: \_\_\_\_\_

\_\_\_\_\_  
Signature