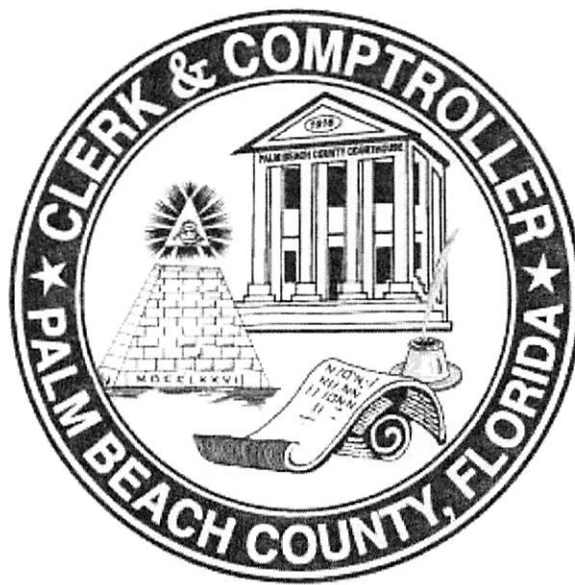


Sharon R. Bock
CLERK & COMPTROLLER
SELF SERVICE CENTER

Your Guide Through The Courts



Packet #52

Revised 09/2014

REPLEVIN
STATEMENT OF CLAIM

NON-REFUNDABLE

(14 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/filling 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.....	(561) 355-7048
Unified Family Court Dept. (for information regarding an existing case).....	(561) 355-6511
Visit us at our web site.....	www.mypalmbeachclerk.com
Legal Aid Society (if you can't afford an attorney).....	(561) 655-8944
Lawyer Referral Service of the PBC Bar Association.....	(561) 687-3266
	Revised 04/2013

REPLEVIN STATEMENT OF CLAIM

52

When should this form be used?

This form should be used when you are trying to get your property back and the value of the property is \$5,000.00 or less.

Forms that are in your packet:

	<u>Page</u>
✓ Civil Cover Sheet	6
✓ Replevin Statement of Claim	7

These forms should be completed and filed, IF APPLICABLE

✓ Designation of Current Mailing and E-Mail Address and Directions to Provide E-Mail Address to Court Administration, A.O. 2.310 (04/13)	11
✓ Notice of Change of Address, (09/14) (<u>Must be filed whenever you change your address</u>)	14

Filing Fees:

Replevin action with claim/property value less than or equal to \$1000.....Total fee \$130.00*

Replevin action with claim/property value greater than \$1000 but less than or equal to \$2500

Filing fee..... \$175.00*

Plus writ fee of..... \$ 85.00*

Replevin action with claim/property value greater than \$2500

Filing fee..... \$300.00*

Plus writ fee of..... \$ 85.00*

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.

The Clerk of Court shall not require pre-payment of a filing fee when an individual files a Writ of Replevin against a law enforcement agency for the return of a firearm, pistol or other property that has been seized and is being held by a Law Enforcement Agency when no charges or related case have been filed.(AO 3.905-10/10)

READ THE INSTRUCTIONS/INFORMATION BEFORE COMPLETING THE FORMS FOR FILING

DO NOT SIGN ANY DOCUMENTS THAT REQUIRE A NOTARY OR DEPUTY CLERK UNTIL YOU ARE IN FRONT OF THE NOTARY OR DEPUTY CLERK

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 copies of the Replevin Statement of Claim and Civil Cover Sheet with any attachments (one copy is for your records and one copy is for the other party), 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)
- Provide 1 pre-addressed stamped envelope for each defendant and 2 self-addressed (YOUR name and address) stamped envelopes.

PROCESSING YOUR CLAIM

- The Clerk will process your claim and forward it with an “Order to Show Cause” to the Judge for review.
- If approved, the Court will schedule a hearing, called “Order to Show Cause Hearing”.
- The Court will return your file to the Clerk for issuance of the summons along with the Order to Show Cause.
- The Clerk will then issue a summons with the date and time the courts provided on the order to show cause.

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 only if the other person resides in Palm Beach County. The fee for this service is \$40.00 payable to *PBSO* (Palm Beach County Sheriff’s Office).
- 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.
- For the cost of service, method of payment, and address, the Plaintiff should contact the local service agent where the summons will be served.

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, 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
 - 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.

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.

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.

*****NOTE: it is your responsibility to keep track of your case*****

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)***
- ☐ ***Personal 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)

(type or print name)

Date _____

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

Case No: _____

Plaintiff(s)

-VS-

Defendant(s)

REPLEVIN STATEMENT OF CLAIM

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

1. This is an action to recover possession of personal property in Palm Beach County, Florida.
2. The description of the property is *[list property]*: _____
To the best of plaintiff's knowledge, information, and belief, the value of the property is \$ _____
3. Plaintiff is entitled to the possession of the property under a security agreement dated _____,
a copy of the agreement being attached.
4. To plaintiff's best knowledge, information, and belief, the property is located at: _____

5. The property is wrongfully detained by defendant. Defendant came into possession of the
property by _____.
To plaintiff's best knowledge, information, and belief, defendant detains the property because

6. The property has not been taken for any tax, assessment, or fine pursuant to law.
7. The property has not been taken under an execution or attachment against plaintiff's property.

WHEREFORE, plaintiff demands judgment for possession of the property.

Signature: _____

Address: _____

Phone No: _____

Note: Paragraph 3 must be modified if the right to possession arose in another manner. Allegations and a demand for damages, if appropriate, can be added to the form.



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 **www.15thcircuit.com/html/online-services**. 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.

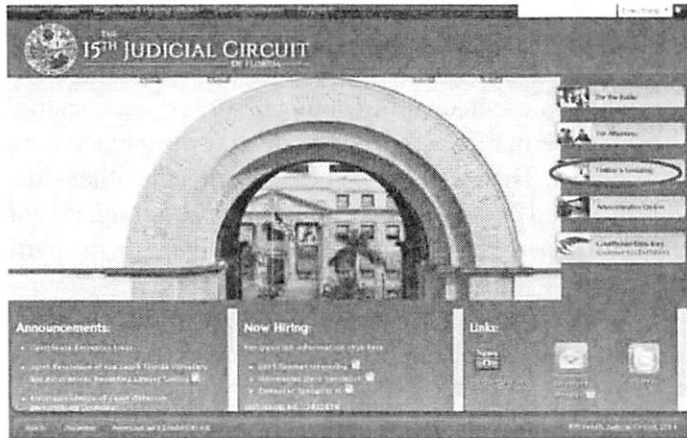
Filing of Documents: The Rules of Judicial Administration require that all documents be filed with the court either before service on the opposing party or immediately thereafter. Documents are deemed filed when they are filed with the clerk of court. If the sender learns that the e-mail did not reach 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.

Instructions for E-Service Registration for Self Represented Litigants, (06/13)

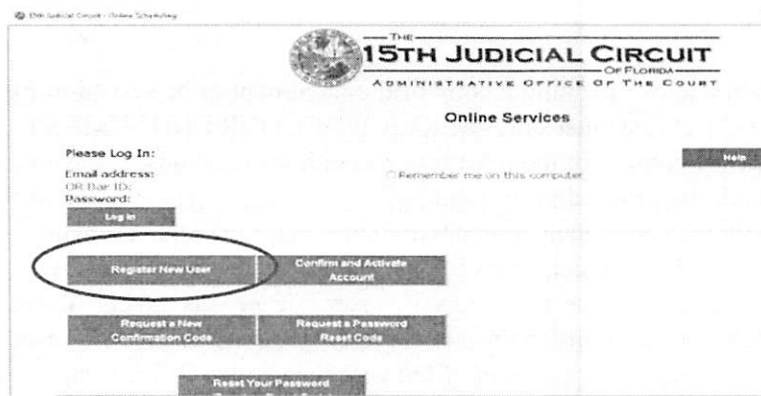


THE
15TH JUDICIAL CIRCUIT
OF FLORIDA
ADMINISTRATIVE OFFICE OF THE COURT

Instructions for E-Service Registration For Self Represented Litigants

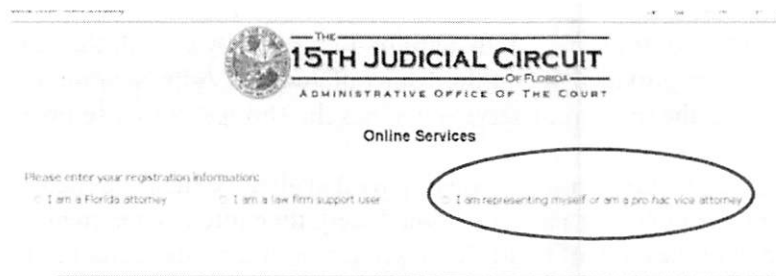


- Go to www.15thcircuit.com
- Select Online Scheduling
- Select Online Scheduling Application




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


The 15TH JUDICIAL CIRCUIT
 Of Florida
 ADMINISTRATIVE OFFICE OF THE COURT

E-Service/Online Scheduling Services

[E-Service Online Scheduling Instructions](#)
[Frequently Asked Questions](#)
[eFiling Register](#)
[eFiling Resources](#)
[E-Service Platform Login](#)

Please enter your registration information:

☐ I am a Florida attorney
 ☐ I am a law firm support user
 ☐ I am representing myself or am a pro hac vice attorney

Please ensure that your registered party name matches your court documents exactly.

* Indicates required field.

Login Email Address: (The login email is specific to the person registering and should not be a generic or "screen" address)

Password:

Confirm Password:

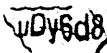
Enter the information requested in the fields provided.

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.

First Name:
 Middle Name:
 Last Name:
 Suffix:
 Business Email:
 Street Address:
 City:
 State Abbreviation:
 ZIP:
 Business Phone:
 Fax:
 Cell:

Please enter the security code that is shown.



Click the speaker icon to read the letters aloud

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/online services.
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