

Small Claims Jurisdiction and Venue Checklist

1. Is the claim for money damages?

Yes No

If not, does the claim meet one of the other jurisdictional requirements (equitable relief in action for money damages, action against paid guarantor if demand does not exceed \$4000, etc.)?

Yes No

If not, no jurisdiction.

2. Is the claim by a natural person and for \$10,000 or less, excluding costs?

Yes No

If not, does the party waive the part of the claim over \$10,000?

Yes No

If not, no jurisdiction.

3. Is the claim by a natural person for damages for bodily injuries resulting from an automobile accident when the defendant is covered by an automobile insurance policy that includes a duty to defend and the claim is for \$7500 or less, excluding costs?

Yes No

If not, does the party waive the part of the claim over \$7500?

Yes No

If not, no jurisdiction.

4. Is the claim by a party other than a natural person and for \$5000 or less, excluding costs?

Yes No

If not, does the party waive the part of the claim over \$5000?

Yes No

If not, no jurisdiction.

5. Has the party previously filed two claims for more than \$2500 during this calendar year?

Yes No

If yes, and the party is not a public entity, does the party waive the current claim over \$2500?

Yes No

If not, no jurisdiction.

6. Was the claim filed in the county in which the defendant resides?

Yes No

If not, is one of the other appropriate venue provisions applicable (contract, personal injury, property injury, consumer action, etc.)?

Yes No

If not, venue is improper.

7. Is there a proof of service of the claim on the defendant or defendants who have not appeared or a return receipt signed by the defendant or defendants who have not appeared?

Yes No

If not, no jurisdiction.