

SAMPLES

How to Start a Small Claims Case

Rev. 1/1/2026

**Use the samples to help you complete
the packet of blank forms.**

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.
 - Bring witnesses, receipts, and any evidence you need to prove your case.
 - Read this form and all pages attached to understand the claim against you and to protect your rights.

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 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.
 - Lleve testigos, recibos y cualquier otra prueba que necesite para probar su caso.
 - Lea este formulario y todas las páginas adjuntas para entender la demanda en su contra y para proteger sus derechos.

**SAMPLE
ONLY**
Do not write
on this copy!

Fill in court name and street address:

**Fill in the County Name and Court
Address**

**For Santa Clara County use: 191 N.
First Street, San Jose, CA 95113**

Court fills in case number when form is filed.

Leave blank

**Plaintiff's Last Name or Business
Name v. Defendant's Last Name or
Business Name**

Order to Go to Court

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

Trial Date	→ Date	Time	Department	No.	1	11	12	13	14	15	16	17	18	19	20	21	22	23	24	25	26	27	28	29	30	31
1.																										
2.																										
3.																										
LEAVE BLANK																										

Instructions for the person suing:

- You are the plaintiff. The person you are suing is the defendant.
 - **Before** you fill out this form, read form [SC-100-INFO](#), *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 [courts.ca.gov/rules-forms/find-your-court-forms](#).
 - **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: [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 [SC-104](#), [SC-104B](#), and [SC-104C](#).
 - **Go to court on your trial date listed above.** Bring witnesses, receipts, and any evidence you need to prove your case.

Plaintiff (list names):

Case Number:

Name of Person or Business that is suing

Leave Blank

1 The plaintiff (the person, business, or public entity that is suing) is:

Name: Your Name or Business Name if claim is being filed by a business Your Phone Number

Street address: Your Street Address Street City State Zip

Mailing address (if different): Your Mailing Address, if different from street address above Street City State Zip

Email address (if available):

If more than one plaintiff, list next plaintiff here:

Name: USE THIS SPACE IF MORE THAN ONE PERSON IS SUING. Phone:

Street address: Street City State Zip

Mailing address (if different): If there are more than 2 plaintiffs, check this box then complete and attach form SC-100A Street City State Zip

Email address (if available):

Check here if more than one plaintiff is suing. If you are doing business under a name that is not your own, fill out and attach form SC-103. You also need to list plaintiff's name in item 1 as "Your Name dba Business Name".

Check here if any defendant is a consumer in a deferred deposit originated (payday lender) under Financial Code sections 230-239. Check here if it applies.

2 The defendant (the person, business, or public entity being sued) is:

Name: Full Name of Person/Business you are suing Phone: Phone # of person you are suing

Street address: Address of Person/Business you are suing Street City State Zip

Mailing Address of Person/Business you are suing, if different from street address. Street City State Zip

If suing a business that is not a sole proprietorship, you must locate the proper Agent for Service. You may locate this information for corporations, LCCs and Limited Partnerships by going to <https://bizfileonline.sos.ca.gov/search/business> and searching the business name. Then complete this section with the information for the agent for service.

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:

3 The plaintiff claims the defendant owes the plaintiff money. Total Amount owed to you, not including court costs and process serving fees on next page.)

a. Why does the defendant owe the plaintiff money?

Briefly explain why the defendant owes you money.

Plaintiff (list names):

Case Number:

Name of Person or Business that is suing

Leave Blank

- 3 b. When did this happen? (Date): **Date or range of dates when the action took place**
If no specific date, give the time _____
- c. How did you calculate the money owed to you? (Do not include court costs or fees for service.)
Briefly explain how you calculated the amount owed to you.
- You may attach one additional page if you need more room to answer any of the questions in item 3.** (SC-100, Item 3" at
- 4 **You must ask the defendant (in person, in writing, or by phone) to pay you before you sue. If your claim is for possession of property, you must ask the defendant to give you the property. Have you done this?**
- Yes No If no, explain why not:
- Check one. If "No", explain why you have not asked the defendant to pay you.**
- 5 **Why are you filing your claim at this courthouse?**
This courthouse covers the area (check the one that applies):
- a. (1) Where the **Check the box that applies** here a contract (written or spoken) was made,
 (2) Where the defendant lived, performed, or broken by the defendant or
 (3) 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): _____
- Write the zip code of the place indicated above.**
- 6 **List the zip code of the place checked in 5 above (if you know):**
- 7 **Is your claim about an attorney-client fee dispute?** Yes No **Check one**
If yes, and if you have had arbitration, fill out form SC-101, *Arbitration Demand and Award Form*.
- 8 **Are you suing a public entity?** Yes No **Check one. If "Yes", write the date you filed your administrative claim.**
If yes, you must file a written claim with the entity first. A claim was filed on (date): _____
If the public entity denies your claim or does not answer within the time allowed by law, you can file this form.

Plaintiff (list names):

Name of Person or Business that is suing

Case Number:

Leave Blank

9 Have you filed more than 12 other small claims within the last 12 months in California?

Yes No *If yes* **Check one** *or this case will be higher.*

10 Is your claim for more than \$2,500? Yes No **Check one**

If you answer yes, you also confirm that you have not filed, and you understand that you may not file, more than two small claims cases for more than \$2,500 in California during this calendar year.

11 I understand that by filing a claim in small claims court, I have no right to appeal this claim.

I declare under penalty of perjury under the laws of the State of California that the information above and on any attachments to this form is true and correct.

Date: **Today's Date**

Print Your Name

Plaintiff types or prints name here

Sign Your Name

Plaintiff signs here

Date:

If there is a second plaintiff, they will date, print and sign their name here.

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 [MC-410, 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 “How to prepare for your trial (court date)” at selfhelp.courts.ca.gov/small-claims/trial.

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 selfhelp.courts.ca.gov/small-claims-forms.

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 [SC-140, Notice of Appeal](#). You must file within 30 days after the clerk hands or mails you the judge’s decision (judgment) on form [SC-200](#) or form [SC-130, Notice of Entry of Judgment](#).
- If you were *not* at the trial, fill out and file form [SC-135, Notice of Motion to Vacate Judgment and Declaration](#), 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 [SC-140](#).

For more information on appeals, see selfhelp.courts.ca.gov/small-claims/after-trial/small-claims-appeals.

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 [CIV-110, 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 [SC-107, 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 [SC-120](#)) 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 and file a motion to transfer the plaintiff’s claim to that 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 [SC-150](#) (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 selfhelp.courts.ca.gov/small-claims-advisor.

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



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 “Cómo prepararse para su juicio” en selfhelp.courts.ca.gov/es/reclamos-menores/juicio.

¿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 selfhelp.courts.ca.gov/es/formularios-de-reclamos-menores.

¿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 selfhelp.courts.ca.gov/es/reclamos-menores/despues-del-juicio/apelaciones-de-reclamos-menores.

¿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 selfhelp.courts.ca.gov/es/asesor-de-reclamos-menores.

* **Excepciones:** Existen diferentes límites en un reclamo contra un garante. (Vea el Código de Procedimiento Civil, sección 116.220 (c).)

Use this form to serve a **person**, a **business**, or a **public entity**. To learn more about proof of service, read *What Is "Proof of Service"?*, Form SC-104B. To learn more about how to serve a business or entity, read *How to Serve a Business or Public Entity*, 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)

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)
- Any person authorized for service by the entity

- 1 a. If you are serving a **person**, write the person's name below:

If you are suing an individual write their name here.

- 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

If you are suing a business/entity write the name here and write the name of the person who need to be served here.

Person Authorized for Service

Job Title

**SAMPLE
ONLY
Do not write
on this copy!**

Fill in court name and street address:

Fill in the County Name and Court Address

For Santa Clara County use: 191 N. First Street, San Jose, CA 95113

Fill in case number, case name, hearing date, day, time, and department below:

Your Case Number

Case Name:

**Plaintiff's Last Name or Business Name v.
Defendant's Last Name or Business Name**

Hearing Date:

**Court Date
Time and Dept. #**

2 **Instructions to Server:**

You must be at least 18 years old and **not be named in this case**. Follow these steps:

- 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 people:
 - a. A competent adult (at least 18) living with, and at the home of the person in ①, or
 - b. An adult (at least 18) who seems to be in charge at the usual workplace of the person in ①, or
 - c. An adult (at least 18) who seems to be in charge where the person in ① usually receives mail (but not a U.S. Post Office box), if there is no known physical address for the person in ①.
 and mail a copy of the documents left with one of the adults in a, b, or c above to the person in ①.

THEN

- Complete and sign this form, and
- Give or mail your completed form to the person who asked you to serve these court papers, *in time for the form to be filed with the court at least 5 days before the hearing*.

3 **I served the person in ① a copy of the documents checked below:**

- 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. Order for examination (This form must be personally served. Check the form that was served):

Note: The court can issue a civil arrest warrant if the served party does not come to court only if the order for examination was personally served by a registered process server, sheriff, marshal, or someone appointed by the court.

- (1) SC-134, Application and Order to Produce Statement of Assets and to Appear for Examination

- (2) AT-138/EJ-125, Application and Order for Appearance and Examination

- d. Other (specify): "NOTICE TO LITIGANTS" (WRITE THIS ON YOUR FORM IF YOUR CASE WAS FILED IN SANTA CLARA COUNTY)



4

If the forms were handed directly to the person you are suing, complete item 4a.

a. **Personal Service:** I personally gave copies of the documents checked in ③ to the defendant.

Date and time forms were handed to defendant

On (date): _____ At (time): _____ a.m. p.m.

At this address: **Address where defendant was handed the forms**
City: _____ State: _____ Zip: _____

b. **Substitution:** If the forms were given to someone other than the defendant, complete item 4b (check one):

A competent adult (at least 18) at the **home** of, and living with the person in ①, or

An adult **Check the one that applies** where the person in ① usually **works**, or

An adult who seems to be in charge where the person in ① usually **receives mail**, or has a private

post office **Date and time forms were handed to the person at the place noted above** person in ①.

I told that adult, "Please give these court papers to (name of person in ①)."

I did this on (date): _____ At (time): _____ a.m. p.m.

At this address: **Address where the forms were delivered**
City: _____ State: _____ Zip: _____

Name or description: **Write the name and/or description of the person who was handed the forms**

After serving the court papers, I put copies in an envelope, and put first-class prepaid postage on the envelope, and put it in the mail. **Date a copy of the forms was mailed to the address listed above and city where the mailing took place** envelope, where I left the copies.

I mailed the envelope on (date): _____ from (city, state): _____

by leaving it (check one):

a. At a U.S. Postal Service mail drop, or

b. At an office or bus stop **Check the one that applies** the mail is picked up every day and deposited with the U.S. Postal Service, or

c. With someone else I asked to mail the documents to the person in ①, and I have attached that person's completed Form SC-104A.

5**Server's Information**

Name: **Name of person who served the forms and their phone number**

Address: **Server's Street Address**

City: **City, State and Zip Code**

Fee for

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: **Date server signed the form**

Server's Name

Type or print server's name

Server's Signature

Server signs here after serving