

SUMMARY

CLAIMS

PACKET

\$10.00

6/3/13

The following documents are required when filing a Small Claims case. Please bring to Liberty County Courthouse, 10818 NW SR 20, or by US Mail at Post Office Box 399, Bristol, FL 32321.

_____ Statement of Claim with attachments, if any (Need original and 1 copy for each defendant being served)

_____ Summons/Notice To Appear for Pretrial Conference/Mediation (two copies must be provided for issuance for each defendant being sued); if you want a copy, please provide an additional copy and a self-addressed stamped envelope for returning it to you.

{The summons/notice to appear must be served along with a copy of the claim by a certified process server, which can be the Sheriff's Office or a process server of your choice. Service of process on Florida residents only may also be effected by certified mail, return receipt signed by the defendant, or someone authorized to receive mail at the residence or principal place of business of the defendant. Either the clerk or an attorney of record may mail the certified mail, the cost of which is in addition to the filing fee.}

_____ A check in the appropriate amount for the filing fee:

- a. Each claim less than \$100.00 - \$ 55.00
- b. Each claim of \$ 100.00 but not more than \$500.00 - \$ 80.00
- c. Each claim of \$ 500.00 but not more than \$2,500.00 - \$175.00
- d. All claims of more than \$2,500.00 - \$300.00

_____ \$10.00 for issuance of summons on each defendant

**IN THE COUNTY COURT
IN AND FOR LIBERTY COUNTY, FLORIDA**

CASE NO. _____

PLAINTIFF

DEFENDANT

ADDRESS

ADDRESS

STATEMENT OF CLAIM

Plaintiff(s), _____,
sues Defendant(s), _____ **and alleges:**

- 1. This is an action for damages which does not exceed \$5,000.00.**
- 2. Plaintiff(s) claims the amount of \$_____ with interest from _____, as being due from said Defendant(s), and alleges as the basis of such suit:** _____

WHEREFORE, Plaintiff demands judgment in the amount of \$_____, plus all costs of this action including filing fee in the amount of \$_____, and service fee of \$_____.

Plaintiff or Agent

**STATE OF FLORIDA
COUNTY OF LIBERTY**

The foregoing instrument was acknowledged before me this ____ day of _____, 20____, by _____ who is personally known to me or who produced _____ as identification and who did () did not () take an oath

Kathleen E. Brown, As Clerk of Court
By: _____
Vanell Summers, Deputy Clerk

IN THE COUNTY COURT OF THE
SECOND JUDICIAL CIRCUIT, IN AND
FOR LIBERTY COUNTY, FLORIDA

CASE NO. _____

Plaintiff(s)

vs.

Defendant(s)

SUMMONS/NOTICE TO APPEAR FOR PRETRIAL CONFERENCE

STATE OF FLORIDA - NOTICE TO PLAINTIFF(S) AND DEFENDANT(S)

(Name & address of Defendant(s) to be Served)

YOU ARE HEREBY NOTIFIED that you are required to appear in person or by attorney at the Liberty County Courthouse, located at 10818 NW SR 20, Bristol, FL 32321, on the _____ day of _____ at _____ a.m. for a **PRETRIAL CONFERENCE** before a Judge of this court.

IMPORTANT -- READ CAREFULLY

THE CASE WILL NOT BE TRIED AT THE PRETRIAL CONFERENCE. DO NOT BRING WITNESSES. YOU MUST APPEAR IN PERSON OR BY ATTORNEY.

The defendant(s) must appear in court on the date specified in order to avoid a default judgment. The plaintiff(s) must appear to avoid having the case dismissed for lack of prosecution. A written **MOTION or ANSWER** to the court by the plaintiff(s) or the defendant(s) shall not excuse the personal appearance of a party or its attorney in the **PRETRIAL CONFERENCE**. The date and time of the pretrial conference **CANNOT** be rescheduled without good cause or prior court approval.

A corporation may be represented at any stage of the trial court proceedings by an officer of the corporation or any employee authorized in writing by an officer of the corporation. Written authorization must be brought to the Pretrial Conference. The purpose of the pretrial conference is to record your appearance or determine if you admit all or part of the claim, to enable the court to determine the nature of the case, and to set the case for trial if the case cannot be resolved at the pretrial conference. You or your attorney should be prepared to confer with the court and to explain briefly the nature of your dispute, state what efforts have been made to settle the dispute, exhibit any documents necessary to prove the case, state the names and addresses of your

witnesses, stipulate to the facts that will require no proof and will expedite the trial, and estimate how long it will take to try the case.

Mediation may take place at the pretrial conference. Whoever appears for a party must have full authority to settle. Failure to have full authority to settle at this pretrial conference may result in the imposition of costs and attorney fees incurred by the opposing party. If you admit the claim, but desire additional time to pay, you must come and state the circumstances to the court. The court may or may not approve a payment plan and withhold judgment or execution or levy.

RIGHT TO VENUE. The law gives the person or company who has sued you the right to file in any one of several places as listed below. However, if you have been sued in any place other than one of these places, you, as the defendant(s) have the right to request that the case be moved to a proper location or venue. A proper location or venue may be one of the following: [1] where the contract was entered into; [2] if the suit is on 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 defendant(s) sued reside; [6] any location agreed to in a contract; [7] in an action for money due, if there is no agreement as to where suit may be filed, where payment is to be made. If you as the defendant(s) believe the plaintiff(s) has/have not sued in one of these correct places, you must appear on your court date and orally request a transfer or you must file a WRITTEN request for transfer, in affidavit form (sworn to under oath) with the court 7 days prior to your first court date and send a copy to the plaintiff(s) or plaintiff's(s') attorney, if any. A copy of the statement of claim shall be served with this summons.

DATED ON _____.

KATHLEEN E BROWN,
Clerk of Court, Liberty County
By: _____
Deputy Clerk

IF YOU ARE A PERSON WITH A DISABILITY WHO NEEDS ANY ACCOMMODATION IN ORDER TO PARTICIPATE IN THIS PROCEEDING, YOU ARE ENTITLED, AT NO COST TO YOU, TO THE PROVISION OF CERTAIN ASSISTANCE. PLEASE CONTACT KATHLEEN E BROWN, CLERK OF COURT AT (850) 643-2215 AT LEAST 7 DAYS BEFORE YOUR SCHEDULED COURT APPEARANCE, OR IMMEDIATELY UPON RECEIVING THIS NOTIFICATION IF THE TIME BEFORE THE SCHEDULE APPEARANCE IS LESS THAN 7 DAYS. IF YOU ARE HEARING OR VOICE IMPAIRED, CALL 711.