

## 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.