

**IN THE DISTRICT COURT OF LITTLE ROCK, ARKANSAS  
 SMALL CLAIMS DIVISION  
 The Honorable Mark D. Leverett, District Judge  
 600 West Markham, Little Rock, Arkansas 72201  
 (501) 371-4529/ (501) 371-4525 (fax)**

**NOTICE TO THE PLAINTIFF**

**COST:** The filing fee for small claims under \$5,000.00 is \$65.00. Claims over \$5,000.00 must be filed in the Civil Division of the Circuit Court, Pulaski County Courthouse, 401 West Markham, (501) 340-8431.

When filing **Complaints** and **Garnishments** at the same time, two (2) separate money orders or cashier's checks are required-one for complaints and one for garnishments.

Civil filing fee is \$80.00

**(PLEASE NOTE: ALL FEES MUST BE PAID WITH A MONEY ORDER OR CASHIERS CHECK. Make payable to Little Rock District Court.)**

**SERVICE FEES:** Service fees will vary, depending on how you choose to Have the Defendant(s) or Garnishee(s) served. *These fees Are **SEPARATE** from the Court's filing fees, and must be Paid directly to either of the following:*

<b>CERTIFIED MAIL –RESTRICTED DELIVERY</b> (Least Effective Method of Service)	Paid directly to the Postal Service
<b>PULASKI COUNTY SHERIFF'S OFFICE</b> (Most Effective Method of Service)	\$50.00 fee paid directly to the Sheriff's Office (501) 340-8450
<b>PRIVATE PROCESS SERVER</b> (Most Effective Method of Service)	Made payable to the process server for the amount of the service fee.

FILE YOUR CLAIM PRIOR TO 3:30 P.M. MONDAY THRU FRIDAY. Money is not accepted after this time.

**INFORMATION ON FILING A COMPLAINT:**

- In order to sue an individual or a corporation with three (3) or less shareholders you must file in the county where the Defendant resides or where the action took place.
- In a written contract action, you must file within five (5) years from the date the contract is/was broken.
- In an (i) oral contract or (ii) recovery of personal property or (iii) property damage action, you must file within three (3) years from the date the contract is/was broken or from the date the incident occurs.

- YOU MUST PROVIDE TWO (2) SETS OF PROOF TO VALIDATE YOUR CLAIM (this includes all receipts, invoices, pictures, etc.). One set is for the Court's file, and the additional set is for the Defendant which will be attached to the complaint. If there is more than one Defendant, you will need additional sets. If you request the Clerk's Office to make copies for you, you will be charged **25 cents per copy**. **You must have exact change.**

### **BASIC COURT PROCESS**

After the complaint is filed it must be served on the Defendant. Once served, the Defendant has 20 days to file an answer to the complaint. If the Defendant answers complaint, the Court Clerk will set a date and time for your case to be heard in Court. The court date or trial is usually 4 to 6 weeks from the date that you file.

If the Defendant does not file an answer or appear on the date of trial, the Judge may enter a default judgment in favor of the Plaintiff. A default judgment means you have won your case and you must wait 10 days from the date the judgment is entered before beginning collection procedures against the Defendant may begin. If you want a copy of the judgment, you must pick one up at the Clerk's Office, or provide a self-addressed stamped envelope to the Clerk's Office and a copy will be mailed to you.

If you fail to appear on the date of the trial, the Judge may dismiss the case. If a party is aware that they will be unable to appear on the court date, they must contact the Court Clerk no less than one (1) week from the trial date and request a continuance in writing. A continuance is a postponement of the trial to a later date and time. Each party is allowed only **one continuance**.

You or the Defendant may appeal any judgment from this Court by filing a Notice of Appeal within **30 days** from the date the judgment was entered. The fee is \$5.00, payable to the Court. The appeal must first be prepared in the Clerk's Office and then taken by the party requesting the appeal to the Circuit Court of Pulaski County for further filing. The Circuit Court fee to file an appeal is \$140.00. The Circuit Clerk's Office is located at 401 West Markham, Little Rock, Arkansas, in the Pulaski County Courthouse

### **PREPARATION FOR COURT**

Come prepared to present your side of your case. This means that you must bring your witnesses, if any; any documentation to support your claim and you must be prepared to testify under oath to the Court about your claim. The purpose of Small Claims Court is to offer an inexpensive and quick method of resolving disputes and your preparation will help this effort. Make sure to bring all evidence with you at the time of your trial.

### **CONDUCTING YOURSELF IN THE COURTROOM**

You should direct all questions and statements to the Judge. **DO NOT** direct any questions or communications to the opposing party. **DO NOT** interrupt the Judge or the other party.

### **ATTIRE FOR COURT**

Appropriate dress and responsible behavior is expected at all times.

Male attorneys should wear coat and tie and female attorneys appropriate business attire for court room proceedings.

No caps or hats may be worn by males or females while court is in session except for religious or medical purposes except that females may wear traditional formal hats.

No sunglasses will be permitted to be worn unless for a prescribed medical condition.

Litigants and witnesses should wear appropriate attire, which does not include short shorts, cut-offs, tank tops, halter tops or bare midriffs.

No vulgar language should be visible on attire.

No outerwear such as overcoats should be worn in the courtroom.

### **JUDGMENT**

Only the Court decides who should prevail in a given suit. Courts traditionally are only responsible for making a decision in the dispute and not for the enforcement of the judgment. It is the responsibility of the prevailing party to collect or enforce a judgment of the Court. The party who is awarded a judgment may utilize execution or garnishment for collection of the judgment. The forms may be obtained from the District Court Clerk's office.

### **GARNISHMENT**

The filing fee is \$10.00; The Writ of Garnishment is filed with the Court Clerk.

### **EXECUTIONS**

The cost of filing a Writ of Execution is \$10.00.

**CERTIFIED COPIES (PER COPY)..... \$5.00**

**To obtain an AGENT name and ADDRESS for service of a Business, you must contact the SECRETARY OF STATE office at (501) 682-5151**

*IT IS IMPORTANT TO REMEMBER THAT EVEN THOUGH YOU ARE FILING AGAINST A PERSON IN SMALL CLAIMS COURT, THE DEFENDANT STILL HAS THE CONSTITUTIONAL RIGHT TO OBTAIN AN ATTORNEY. SHOULD THE DEFENDANT HIRE AN ATTORNEY, YOU WILL BE NOTIFIED AND GIVEN THE NAME OF THE ATTORNEY AND THE CASE WILL BE TRANSFERRED FROM SMALL CLAIMS TO CIVIL.*

**BY LAW, THE CLERKS ARE NOT PERMITTED TO GIVE ANYONE LEGAL ADVICE. PLEASE CONSULT AN ATTORNEY TO DISCUSS ANY LEGAL QUESTIONS YOU MAY HAVE.**

