



SUPERIOR COURT OF CALIFORNIA, COUNTY OF SAN DIEGO

SMALL CLAIMS COURT

www.sdcourt.ca.gov

HOW TO FILE A SMALL CLAIMS CASE

This document provides information on how to file a small claims case.

1. Read the Information for the Plaintiff (Small Claims) form (JC Form #SC-100-INFO) before filling out the Plaintiff's Claim and Order to Go to Small Claims Court (JC Form #SC-100).
2. Complete the Plaintiff's Claim and Order to Go to Small Claims Court (JC Form #SC-100) and sign it. Make sure that all pages are typed or clearly printed in blue or black ink. Make a copy for yourself and each named defendant. Fillable forms can be found at www.sdcourt.ca.gov

How to name yourself and the defendant correctly (examples):

Individual:	First name, middle name or initial (if any), last name
Business Owner:	John Smith d.b.a. The ABC Company (Note: If Plaintiff is named in this way, a Fictitious Business Name Declaration (JC Form #SC-103) must be filed)
Corporation:	The ABC Company, Inc. or, The ABC Company, a Ca. Corp.
Partnership:	The ABC Company, a partnership of John Stone and Mary Hill

If the defendant is a corporation, the name and address of the agent for service of process must be listed on the Plaintiff's Claim and Order to Go to Small Claims Court (JC Form #SC-100). This information can be obtained from the California Secretary of State at www.sos.ca.gov. At the trial, the judge may ask for proof that the correct agent was served. For more information on how to sue a business, refer to How to Serve a Business (JC Form #SC-104C), included in this packet.

3. File the Claim
Submit the original, all copies, and filing fee in person or by mail to the Central Division, Hall of Justice, Small Claims, 330 W. Broadway, San Diego, CA 92101. To determine the correct filing fee, refer to the Fee Schedule (SDSC Form #ADM-001), available on the court's website: www.sdcourt.ca.gov. Make checks payable to San Diego Superior Court. Include a self-addressed, legal size envelope stamped with sufficient postage for copies to be returned.
 - For more information, visit the California Courts Self-Help Center at www.courtinfo.ca.gov/selfhelp (English) or www.sucorte.ca.gov (Spanish).
4. Serve the Defendant
Each defendant must be given a copy of the Plaintiff's Claim and Order to Go to Small Claims Court (JC Form #SC-100). To find out how to serve the defendant and file a proof of service, read Information for the Plaintiff (JC Form #SC-100-INFO) and What is "Proof of Service"? (JC Form #SC-104B), included in this packet. Proof of Service (JC Form #SC-104) must be submitted to the court clerk at least five (5) days before the trial date.

Service may be completed by:

- Any person who is not a party to the case and is at least 18 years of age may serve the defendant. After serving the defendant, complete a Proof of Service (JC Form #SC-104), available on the court's website www.sdcourt.ca.gov.
- The court clerk by certified mail. To request service by the court clerk, submit the Request for Service by Certified Mail (Small Claims) (SDSC Form #SC-074). **There is a fee for each defendant and the fee must be included with the filing fee.** See Fee Schedule (SDSC Form #ADM-001).

If the defendant is unable to be served before the trial date, complete the Request to Postpone Trial (JC Form #SC-150) to ask for a new trial date.