

IN THE DISTRICT COURT OF PULASKI COUNTY, ARKANSAS

LITTLE ROCK CIVIL DIVISION

The Honorable Mark D. Leverett, State District Judge, District 31, Little Rock 3
600 West Markham, Little Rock, Arkansas 72201
(501) 371-4529 or (501) 371-4727 (phone)
(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 Pulaski County Circuit Court, 401 West Markham Street, Little Rock, Arkansas. (501) 340-8431 phone.

Civil filing fee is \$80.00. Summons fee is \$2.50

SERVICE FEES: You have 120 days to serve the Defendant. Service fees will vary. These fees are SEPARATE from the Court's filing fees.

CERTIFIED MAIL – RESTRICTED DELIVERY	Paid directly to the U.S. Postal Service
PULASKI COUNTY SHERIFF'S OFFICE	\$50.00 fee paid directly to the Pulaski County Sheriff's Office; (501) 340-8450
PRIVATE PROCESS SERVER	Payment must be made directly to the process server for the amount of the service fee.

FILE YOUR CLAIM PRIOR TO 3:30 P.M. MONDAY THROUGH 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 your complaint in the county where the Defendant resides or where the action took place.
- In a written contract action, you must file your complaint within five (5) years from the date the contract was breached.
- In an oral contract, you must file within three (3) years from the date the contract was breached. In an action to recover personal property or an action for property damage, your complaint must be filed within three (3) years of 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 twenty-five cents (\$0.25) per page.
- THE COMPLAINT MUST BE FILED WITH THE CLERK PRIOR TO SERVICE TO THE DEFENDANT.

BASIC COURT PROCESS

After the complaint is filed it must be served on the Defendant. Once served, the Defendant has thirty (30) days to file an answer to the complaint. If the Defendant answers the complaint, the court clerk will set a date and time for your case to be heard in court.

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 after a hearing on damages, you must wait ten (10) days from the date judgment is entered before beginning collection procedures against the Defendant.

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.

You or the Defendant may appeal any judgment from this court by filing a Notice of Appeal within thirty (30) days from the date the judgment was entered. The fee is \$10.00 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 \$165.00. 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 statement 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.

No caps or hats may be worn by males or females while court is in session, except for religious or medical purposes. 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 shorts, cut-offs, tank tops, halter tops or bare midriffs.

No vulgar language is permitted in court or visible on attire.

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

JUDGMENT

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 Writ of Garnishment is filed with the court clerk and the filing fee is \$10.00.

EXECUTIONS

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

CERTIFIED COPIES (PER COPY) is \$10.00.

To obtain an agent name and address for service of a business, you must contact the Arkansas Secretary of State Office at (501) 682-5151.

Please remember that the Defendant has the right to be represented by 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 our small claims docket to our civil docket. At this point, you have the right to obtain an attorney as well if you choose to do so.

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

You may view real time status information on your case by visiting <https://caseinfo.arcourts.gov>.