



Brandon Patty
St. Johns County Clerk of the Circuit Court and Comptroller
4010 Lewis Speedway, Saint Augustine, Florida 32084
Office: (904) 819-3650

SMALL CLAIMS FILING INSTRUCTIONS

1. The jurisdiction of Small Claims Court is \$8,000.00 or less, exclusive of costs. If your claim is for more than this amount and you wish to bring suit in Small Claims, please write the following statement: *“Except for costs, all sums in excess of \$8,000.00 are hereby waived.”*
2. In order to file a Small Claims action against someone you must have their **physical address**.
3. Complete the General Complaint form:
 - a) Complete the plaintiff’s name, address, e-mail address, and phone number.
 - b) Complete the defendant’s name and address. The defendant’s phone number is optional.
 - i. If you are suing a husband and wife, use their proper names.
 - ii. If suing a corporation, you must serve the registered agent or an officer of the corporation. You may obtain this information by contacting the Division of Corporations in Tallahassee at (850) 245-6052, or by checking www.sunbiz.org.
 - iii. If suing an individual “Doing Business As”, list the [name of person] DBA [company name].
 - c) Please give a brief description of why you are filing this suit. Include the date it occurred, and where it occurred.
 - d) Enter the amount you are suing for in the space provided.
 - e) Enter the amount of costs: filing fees, sheriff’s service fee, and summons issuance fee.
4. Attach any paperwork to the General Complaint form that you may need to prove your claim; i.e.: bill of sale, returned check, promissory note, written warranty, lease, note, etc.
5. The General Complaint **must** either be signed in front of a Deputy Clerk or notarized by a Notary Public.

- If Complaint is to be signed in front of a Deputy Clerk: file in our office at 4010 Lewis Speedway, St. Augustine, FL 32084. Please make copies of only the attachments to the Complaint for **each** defendant. The originals will be returned to you upon filing. A photo ID is required.
 - If Complaint is notarized: you may either file in our office or mail your completed packet to: Attn: Small Claims, 4010 Lewis Speedway, St. Augustine, FL 32084. Please make a copy of the completed Complaint (with attachments, if applicable) for **each** defendant.
 - The Clerk's office can make copies for you at a cost of \$0.15 per page (before filing the case), or \$1.00 per page (after filing the case).
6. After the case has been filed, a *pre-trial summons* with a pre-trial date will be issued. The summons and an attached copy of the General Complaint will need to be served on each defendant by the sheriff's department.
7. The filing fee, summons issuance fee, and sheriff's service fees are listed on the attached **Schedule of Fees**.
- The filing fee, summons issuance fee, and the St. Johns County Sheriff's service fee can be paid together as one payment in the Clerk's office, provided the defendant is to be served in St. Johns County.
 - If you are providing the summons to the St. Johns County Sheriff's office personally, please be advised the St. Johns County Sheriff's department does not accept personal checks; only cash, cashier's checks, business checks or money orders are accepted.
 - If the defendant does not reside in St. Johns County, contact the sheriff in the county in which they reside for service fees and instructions. When you file, please bring in a money order or business check made payable to that county's sheriff's department and an addressed, stamped envelope; alternatively, our office can provide you with the paperwork and you can send it to that county for service.
 - If suing an **insurance company**, in addition to the sheriff's service fee of forty dollars (\$40.00) per defendant, please provide a check or money order in the amount of fifteen dollars (\$15.00) made payable to the Insurance Commissioner.
8. The plaintiff is required to be present at the time appointed for the pre-trial of this case unless the defendant was not served. If you fail to appear, the case will be dismissed.
9. Please notify our office if your claim has been settled prior to the pre-trial date. Our office will provide you paperwork to dismiss your case.

Please be advised that the Clerk's office cannot give legal advice or interpret the law for you.

IN THE COUNTY COURT, SEVENTH
JUDICIAL CIRCUIT, IN AND FOR
ST. JOHNS COUNTY, FLORIDA

CASE NO.:
DIVISION:

NAME

ADDRESS

CITY, STATE & ZIP CODE

Plaintiff(s),

vs.

NAME

ADDRESS

CITY, STATE & ZIP CODE

Defendant(s),

PHONE

EMAIL ADDRESS

PHONE

EMAIL ADDRESS

GENERAL COMPLAINT

Plaintiff(s), _____, sues Defendant(s)

_____, and alleges:

1. This is an action for damages that does not exceed \$8,000.00.
2. Give a brief description of why you have filed this suit if you are not attaching any supporting documentation: _____

_____.

Wherefore, the plaintiff(s) demands judgment for damages against defendant(s) in the amount of \$ _____, together with the costs of filing this suit in the amount of \$ _____.

Plaintiff's Signature and Date

Plaintiff, _____, being duly sworn on oath, states that the foregoing is a just and true statement of the amount owing by the defendant(s) to the plaintiff(s). The plaintiff(s) also states that the defendant(s) is/are not in the military service.

Plaintiff's Signature and Date

STATE OF FLORIDA
COUNTY OF ST. JOHNS

Sworn to or affirmed and signed before me on _____ by _____.

NOTARY PUBLIC or DEPUTY CLERK

[Print, type, or stamp commissioned name of notary
or clerk.]

____ Personally known

____ Produced identification

Type of identification produced _____.

SMALL CLAIMS SCHEDULE OF FEES

All filing fees and sheriff's fees are due at the time of filing your suit.

St. Johns County Clerk of Court Fees

Claims less than \$100.00	\$55.00
Claims from \$100.01 up to \$500.00	\$80.00
Claims from \$500.01 up to \$2,500.00	\$175.00
Claims from \$2,500.01 up to \$8,000.00	\$300.00

Summons Issuance	\$10.00 per summons
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St. Johns County Sheriff's Fee

Service of Summons	\$40.00 per defendant
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- ❖ Please make checks payable to **Brandon Patty** or **St. Johns County Clerk of Courts**.
- ❖ For your convenience, the St. Johns County Clerk of Courts can accept **both** the filing fee and the sheriff's fee as one payment in our office.
- ❖ Fees may be paid with a personal check, money order, cashier's check, cash, or credit card.
 - We do not accept out-of-state personal checks
 - Personal checks must have driver's license number on them.
- ❖ If the defendant(s) address is outside St. Johns County, payment for service of process must be made by money order or business check payable to that county. Cash or personal checks will not be accepted.