

**SUPERIOR COURT OF THE STATE OF CALIFORNIA
COUNTY OF SAN MATEO
SMALL CLAIMS DIVISION
ADDENDUM TO INFORMATION FOR PLAINTIFF**

IF YOU WISH TO ATTEMPT TO RESOLVE YOUR DISPUTE WITHOUT GOING TO COURT, CONTACT **Peninsula Conflict Resolution Center (PCRC)** at **(650) 345-7272** or www.pcrcweb.org. You can mediate before filing a claim. If a claim has been filed, you can mediate prior to your scheduled court date.

FEES

Filing fee for up to 12 Small Claims cases in California within the previous 12 months (per case): \$1,500.00 or less.....	\$30.00
More than \$1,500.00 but less than or equal to \$5,000.00.....	\$50.00
More than \$5,000.00 but less than or equal to \$10,000.00 (natural person).....	\$75.00
Filing fee for 12 Small Claims cases or more in California within the previous 12 months (per case).....	\$100.00
Fee to request a continuance that must be in writing	\$10.00
Certified mail for each defendant.....	\$15.00

HOW TO DESIGNATE DEFENDANT

INDIVIDUAL John Smith	TWO OR MORE DEFENDANTS John and Jane Smith
SOLE OWNERSHIP John Smith dba Smith's Candy Store	PARTNERSHIP John Smith and Joe Jones dba XYZ Candy Store
CORPORATION ABC Candy Store Inc. c/o Suzy Smith, agent for service	PARTNERSHIP & SERVICE ON PARTNERS AS INDIVIDUALS John Smith & Jane Smith each indiv. & dba ABC Candy Store

GOVERNMENT AGENCY

State the full legal name of the public entity (you may consult roster of public agencies, maintained by the Secretary of State and County Clerk of each county). A claim must be filed with the public entity and disallowed or rejected prior to filing your claims. Please submit a copy of your denial to the Clerk when filing your claim.

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IMPORTANT INFORMATION REGARDING CERTIFIED MAIL

It is your responsibility to have your claim served. Certified mail is the least expensive method of service, however it has proven to be the **LEAST SUCCESSFUL METHOD** for the following reasons:

1. **AVOIDANCE BY DEFENDANT** – Defendant does not have to accept service.
2. **INVALID SERVICE** – Often someone other than the defendant signs the receipt. This may not constitute valid service.
3. **DELAY OF HEARING** – If the certified mail is not successful, the case will not be heard on the hearing date. It will be necessary for the Plaintiff to return the claim papers to the clerk's office to be reset for a later hearing date.

SERVICE BY CERTIFIED MAIL MUST BE DONE BY THE CLERK'S OFFICE. You cannot serve the defendant this way yourself. However, once the certified mail leaves this office, it is no longer our responsibility. Any questions regarding delivery and methods of tracing must be directed to the post office.

INSTRUCTIONS FOR RENTALS

1. In a property rental action, the owner of the property must be designated as plaintiff and sign the original claim.
2. In a rental claim, the defendant named must be the owner of the property.
3. In describing your claim, list the months for which rent is due and the address of rental property.

DISMISSAL

If you settle the case before the trial, you must file a dismissal form.

WITH PREJUDICE means: Case is closed and you can never claim the money concerned in this claim.

WITHOUT PREJUDICE means: Case is closed at this time, but you are not giving up the right to file a new claim on the money concerned in this claim.

INSTRUCTIONS FOR AUTOMOBILE ACCIDENTS

The **OWNER** of the vehicle must file as **PLAINTIFF**. The **DEFENDANT** must be the owner of the vehicle. You may name the driver of the other vehicle as a second **DEFENDANT**.

**PLEASE NOTE: NOT HAVING THE APPROPRIATE NAMES MAY HAMPER COLLECTION
OF YOUR JUDGMENT**