

# SMALL CLAIMS COURT

## WHAT IS IT?

Small claims court is a division of the State court system which allows individuals to bring actions, or defend actions, without an attorney. In these proceedings, the parties go informally before a judge and present their side of the case. The judge hears each side's evidence and then makes a ruling based on what they have heard. There is generally not a jury involved in small claims courts. The function of small claims courts is to allow smaller disputes to be settled outside of the formal court systems. Small claims courts have a limit to the total monetary value allowed, and these vary by state. The small claims courts are designed to allow a person to have their day in court without the time and monetary implications that come along with traditional litigation.

## WHAT CLAIMS CAN BE BROUGHT?

Breach of Contract  
Property Damage  
Personal Injury  
Evictions  
Various Other Claims for monetary damages



### MISSOURI

- Claims can be brought up to \$5,000 worth of damages
- The Missouri Courts website has a variety of easy-to-use forms to fill out for use in Small Claims Court

Website can be found at: <https://www.courts.mo.gov/page.jsp?id=704>

- The forms can be filled out and submitted to the county courthouse where the Plaintiff resides
- There is no general phone number for inquiries about Small Claims, but the local county courthouses should be able to answer questions individuals may have
- Only individuals or corporations inside Missouri can sue or be sued in Small Claims Court
- No lawyer representation is allowed
- Small claims court only awards money, not the return of property or goods.
- No more than 12 small claims allowed per calendar year per person



### ILLINOIS

- Claims can be brought up to \$10,000 worth of damages
- Lawyer representation is permitted
- Illinois has a very user-friendly Eight Step Process listed out on their website for how to complete the Small Claims Process

Website can be found at: <http://www.ag.state.il.us/consumers/smlclaims.html>

- This website has all the information a person needs to know about how to file a claim, and what to expect during the whole process
- Any individual or corporation inside Illinois can sue or be sued (no corporation may appear without counsel)
- Small claims can include return of property/goods or money judgments
- A jury may be demanded by either party and it will be 6 members unless 12 is demanded.



### KANSAS

- Claims can be brought up to \$4,000 worth of damages
  - Attorney's are not permitted in small claims courts prior to the entry of judgment
  - The various county district courthouses have information on their websites regarding their small claims court.
- Website can be found at: <http://www.ks.courts.org/rules-procedures-forms/small-claims-information/default.asp>
- You can sue any person or business in Kansas
  - Small claims can include the return of property/-goods or money judgments
  - Not more than 20 claims allowed per calendar year per person

## CONTACT US

800-536-4357 | [www.getBC.com](http://www.getBC.com)

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