

IN THE CIRCUIT COURT OF THE STATE OF OREGON
FOR THE COUNTY OF COOS
SMALL CLAIMS DEPARTMENT
CLAIM and NOTICE OF CLAIM

Case No. _____

Plaintiff(s)

vs.

Defendant(s)

Plaintiff's Address & Phone No.

Defendant's Address & Phone No.

I, Plaintiff, claim that on or about _____(date) the above named Defendant of Coos County, Oregon, owed me the sum of \$_____, and this sum is still owing for

State of Oregon)
Coos County)

I, the above named Plaintiff, having been duly sworn, state that I have read the above claim and that it is true as I verily believe.

I FURTHER CERTIFY THAT I HAVE MADE A BONA FIDE EFFORT TO COLLECT THIS CLAIM FROM THE DEFENDANT PRIOR TO FILING.

Signed: _____

Subscribed and sworn to me on:

ADMINISTRATION
(SEAL)

TRIAL COURT

By _____
Court Clerk

NOTICE TO DEFENDANT:

I certify that the foregoing is a true copy of the claim and notice of claim filed in Coos County Circuit Court Small Claims Department.

TRIAL COURT ADMINISTRATION

By _____
Court Clerk

ATTENTION DEFENDANT: YOU MUST READ NOTICE ON THE REVERSE SIDE.

Costs Paid:
Small Claims Fee: \$50.00/90.00
Forms/Copies: \$ 1.00

Service Fee: \$36.00
Other: \$ _____ \$ _____

NOTICE TO DEFENDANT - Read Carefully

Within 14 days after receiving notice, you must do one of the following:

- 1 Pay the claim **PLUS** court costs. (See below "If you admit Claim")
- 2 Deny the Claim and demand a hearing. (See "A" Below)
- 3 Deny the Claim, demand a hearing and file a counterclaim. (See "B" below)
- 4 Deny the Claim and demand a jury trial. (See "C" below)

If you fail to do one of the above within 14 days after receiving this notice, the Clerk may enter a DEFAULT JUDGMENT against you for the amount claimed plus court costs.

IF YOU ADMIT THE CLAIM State law provides that within 14 days of service of this notice upon the defendant, it may be settled by paying the amount claimed plus filing and service fees to the Plaintiff. A return of property is only applicable when the claim states a demand for return of property. (Send only check or money orders through the mail)

IF YOU DENY THE CLAIM

A. You may demand a hearing in the Small Claims Department by filing an answer and counterclaim and paying the defendant's first appearance fee within 14 days. **(Forms are available at the Court. for \$0.25 per page)** A hearing date and time will be set and all parties notified by mail. All hearings will be informal. Both plaintiff and defendant may offer testimony, bring witnesses and other evidence pertinent to the controversy. No attorney at law or person other than you, the plaintiff and witnesses may participate without the consent of the Judge of the Circuit Court. Filing an answer is \$50.00 if claim is for \$2,500.00 or less and \$90.00 if amount claimed is over \$2,500.00.

B. You may demand a hearing and file a counterclaim. You must swear to and sign this in front of a Notary Public or court clerk. Counterclaims filed in excess of \$10,000.00 must be transferred to the appropriate Court. (Forms/papers are **NOT** available from the Court. You will be required to pay the difference in filing fee plus the transfer fee. Your counterclaim must pertain to the same matter as the plaintiff's claim. You will receive notice of the time set for hearing. The Plaintiff will also receive a copy of the counterclaim.

C. **If the Claimed amount EXCEEDS \$750.00**, a jury trial may be demanded upon payment of the defendant's first appearance fee and transfer fee of \$150.00. If a jury trial is requested, a formal complaint will have to be filed in Circuit Court, by the plaintiff, with the appropriate filing fees. The case will then be referred to MANDATORY ARBITRATION.

THERE IS NO APPEAL IN A SMALL CLAIMS HEARING - JUDGMENT IS FINAL

If you have further questions concerning this notice, contact the Small Claims Department as indicated below. The Court Clerks are allowed to answer procedural questions. They are not allowed to give legal advice. **If you need legal advice you should see an attorney.** If you need help in finding an attorney, you can call the Oregon State Bar's Lawyer Referral Services at (503) 684-3763 or toll-free in Oregon at (800) 452-7636 or **on-line at www.osbar.org/public/ris/ris.html**.

PLEASE NOTE CASE NUMBER: If the claim case number has the letters: **BC** - call **541-756-2020** and ask for **extension 586**. Send reply or inquires to: Circuit Court, PO Box 865, North Bend OR 97459