

Small Claims Information

Springville Justice Court has jurisdiction over small claims cases if the defendant (person being sued) resided in Springville or Mapleton City or the debt arose within the Springville or Mapleton City limits. If you have further questions, you can go directly to <https://www.utcourts.gov/en/self-help/case-categories/consumer/small-claims.html> or consult an attorney of your choosing. Additionally, refer to the Utah Rules of Civil Procedure for Additional insight: <https://legacy.utcourts.gov/rules>

Small Claims can be filed for a claim up to \$20,000.00 The claim must be for actual damages. The fee to file a small claims case

| | |
|------------------------------|-------|
| Claim less than \$2,000 | \$60 |
| Claim for \$2,001 - \$7,499 | \$100 |
| Claim for \$7,500 - \$20,000 | \$185 |

After the Affidavit and Summons is filed with the court, the plaintiff (the person filing the claim) is responsible to serve the defendant with notice of the suit and the trial date 30 days before the scheduled date. It is the plaintiff's responsibility to provide proof of service to the Court at least 20 days prior to the scheduled Small Claim Trial Date.

Filing a case

Fill out the forms in the packet and provide them to the court. They can be submitted through mail (a return address and postage must be provided), email, or brought to the court window.

****Payment must be made when the case is filed OR within 15 days of filing or the case may be dismissed****

Serve the papers to the defendant (check <https://www.utcourts.gov/en/legal-help/legal-help/procedures/service/service-of-process.html> for help and rules). Provide proof of service to the court

Appear before the court on the day of the trial.

Please provide three hard copies of any exhibits you wish to submit as part of the trial: one for the plaintiff, one for the defendant, and one for the court. Each copy must be numbered for easy identification during the trial. **THE COURT WILL NOT MAKE COPIES OF YOUR EXHIBITS. YOU MUST PROVIDE THEM YOURSELF.**

For more help, please visit: <https://www.springville.org/justice-court/home/small-claims/>

****Any motions must have the order filed with it to be considered****

Utah Justice Court Cover Sheet

Interpretation. If you do not speak or understand English, the court will provide an interpreter. Contact court staff immediately to ask for an interpreter.

Interpretación. Si usted no habla ni entiende el Inglés el tribunal le proveerá un intérprete. Contacte a un empleado del tribunal inmediatamente para pedir un intérprete.

Plaintiff/Petitioner (First)

Name

Address

City, State, Zip

Phone

Email

First Plaintiff/Petitioner's Attorney or Licensed Paralegal Practitioner*

Name

Bar Number

Plaintiff/Petitioner (Second)

Name

Address

City, State, Zip

Phone

Email

Second Plaintiff/Petitioner's Attorney or Licensed Paralegal Practitioner*

Name

Bar Number

Defendant/Respondent (First)

Name

Address

City, State, Zip

Phone

Email

First Defendant/Respondent's Attorney or Licensed Paralegal Practitioner*

Name

Bar Number

Defendant/Respondent (Second)

Name

Address

City, State, Zip

Phone

Email

Second Defendant/Respondent's Attorney or Licensed Paralegal Practitioner*

Name

Bar Number

*Attorney or LPP addresses provided by Utah State Bar.

Total Claim for Damages \$ _____

Claim may not exceed \$20,000

Schedule of Fees: §78A-2-301.5

- SMALL CLAIMS AFFIDAVIT --**
- \$60 [] Damages \$2000 or less
- \$100 [] Damages \$2001 - \$7,499
- \$185 [] Damages \$7,500 - \$20,000
- SMALL CLAIMS COUNTER AFFIDAVIT --**
- \$50 [] Damages \$2000 or less
- \$70 [] Damages \$2001 - \$7,499
- \$120 [] Damages \$7,500 & over
- SMALL CLAIMS APPEAL --**
- \$10 [] Notice of Appeal to District Court

- \$240 [] Appeal / Trial de novo Filing Fee payable to District Court
- [] is attached
- [] to be paid at District Court
- OTHER --**
- \$135 [] Expungement Petition
- \$50 [] Writ
- \$35 [] Open Sealed Record
- OCAP --**
- (Utah Code §78A-2-501)
- \$20 [] Documents prepared using Online Court Assistance Program (OCAP)

 Name

 Address

 City, State, Zip

 Phone

 Email

I am the Plaintiff
 Attorney for the Plaintiff and my Utah Bar number is _____

In the Springville Justice Court of Utah
 4th Judicial District in Utah County
 110 South Main Street, Springville, UT 84663

| | |
|--|--|
| Plaintiff v. Defendant And Defendant | Affidavit and Summons (Small Claims) _____ Case Number Judge Jewell |
|--|--|

I swear that the following is true.

(1) Defendant owes me \$ _____ for the claim described in paragraph (2).
 plus the filing fee of \$ _____
 plus an estimated service fee of \$ _____
 plus estimated attorney fees of \$ _____ (Attach statute or contract showing you are
 authorized to claim attorney fees.)
 for a total of: \$ _____

plus prejudgment interest, if qualified for prejudgment interest.

(2) The events happened on _____ (date). My claim is based on the following facts.

(3) Defendant resides within the jurisdiction of the court.
 The events happened within the jurisdiction of the court.

(4) I am not suing a government entity. I am not suing a government employee for the employee's on-the-job conduct.

(5) I am not suing on a claim that has been assigned to me.

(6) I am filing this affidavit in the First District Court for Cache County because the defendant resides in unincorporated Cache County or in a municipality within Cache County that does not have a justice court and the cause of action arose in unincorporated Cache County or in a municipality within Cache County that does not have a justice court.

I have not included any non-public information in this document.

_____ Sign here ► _____
Date
Typed or Printed Name _____

On this date, I certify that _____ (name)
who is known to me or who presented satisfactory identification, in the form of _____
(form of identification), has, while in my presence and while under oath or affirmation, voluntarily signed this document and declared that it is true.

_____ Sign here ► _____
Date
Typed or printed name (Court Clerk or Notary Public) _____
Notary Seal

Summons

To:

Para:

Defendant Name and Address

Nombre y dirección del Demandado

Defendant Name and Address

Nombre y dirección del Demandado

You are summoned to appear at trial to answer the above claim. The trial will be held at the court address shown above. **If you fail to appear, judgment may be entered against you for the total amount claimed.**

Se le cita a comparecer a juicio para responder al reclamo arriba descrito. El juicio tendrá lugar en la dirección del tribunal que se muestra arriba. Si usted no comparece, se podría dictar un fallo contra usted por el total de la cantidad reclamada.

Date (Fecha) _____ Time (Hora) _____ : _____ [] a.m. [] p.m.

Room (Sala) _____ Judge (Juez) Jewell

Notice to the Defendant

A small claims case has been filed against you. This imposes upon you certain rights and responsibilities. You can find small claims information and instructions at <https://www.utcourts.gov/howto/smallclaims/>.

The court's Finding Legal Help web page (www.utcourts.gov/howto/legalassist/) provides information about the ways you can get legal help, including the Self-Help Center, reduced-fee attorneys, limited legal help and free legal clinics.

Un caso de reclamos menores ha sido presentado contra usted. Esto le impone a usted ciertos derechos y obligaciones. Usted puede encontrar información e instrucciones sobre reclamos menores en <https://www.utcourts.gov/howto/smallclaims/>.

La página del tribunal sobre Como Encontrar Ayuda Legal (www.utcourts.gov/howto/legalassist/) proporciona información acerca de las maneras en que usted puede obtener ayuda legal, incluyendo el Centro de Ayuda del tribunal, abogados a precio reducido, ayuda legal limitada y talleres jurídicos gratuitos.

Attendance. You must attend. If you do not attend, the relief requested might be granted. You have the right to be represented by a lawyer.

Asistencia. Presentarse es obligatorio. Si usted no llegara a presentarse, el remedio solicitado podría ser otorgado. Usted tiene el derecho de que lo represente un abogado.

Evidence. Bring with you any evidence that you want the court to consider.

Pruebas. Traiga con usted cualquier prueba que quiera que el tribunal tome en cuenta.

Interpretation. If you do not speak or understand English, contact court staff at least 3 days before the hearing, and an interpreter will be provided.

Interpretación. Si usted no habla ni entiende el Inglés contacte al personal del tribunal por lo menos 3 días antes de la audiencia y le proveerán un intérprete.

Disability Accommodation. If you have a disability requiring accommodation, including an ASL interpreter, contact court staff at least 3 days before the hearing.

Atención en caso de incapacidades. Si usted tiene una incapacidad por la cual requiere atención especial, favor de contactar al personal del tribunal por lo menos 3 días antes de la audiencia.

Right to Jury Trial. If you want to have a jury trial in this case, you must file documents to remove the case to district court. See the Small Claims web page for information about that process, and forms: <https://www.utcourts.gov/howto/smallclaims/>.

El derecho a juicio por jurado. Si usted quiere tener un juicio con jurado, usted deberá presentar documentos pidiendo que el caso sea transferido al tribunal de distrito. Vea la página de internet de Reclamos Menores para más información sobre el proceso y formularios: <https://www.utcourts.gov/howto/smallclaims/>.

Date: _____

Sign here ► _____

Court Clerk _____