

STEPS TO FILE A JUSTICE COURT CASE:

SMALL CLAIMS AND DEBIT CLAIMS

EVICITONS

1. A certified return receipt letter and a regular mail letter must be mailed to defendant. (Be specific with what is being sought and deadlines).

2. If deadline passes and defendant has not complied, then proof of the certified letter and petition shall be filed with court. The petition to be filed with the court must contain the following information:
 - a. The name of the plaintiff
 - b. The name, address, telephone number and fax number, if any, of the plaintiff's attorney, if applicable or the address, telephone number and fax number, if any, of the plaintiff;
 - c. The name, address and telephone number if known, of the defendant;
 - d. The amount of money, if any, plaintiff seeks;
 - e. A description and claimed value of any personal property the plaintiff seeks;
 - f. A description of any other relief requested;
 - g. The basis of the plaintiff's claim against the defendant; and

3. Fees paid in the form of a money order or cashier's check are due at the time petition is filed. Court filing fee of \$46.00 made payable to La Salle County JP #1, and Service fee of \$100.00 (per person to be served) made payable to La Salle County Sheriff's Dept.

If the defendant is to be served in a county other than La Salle, it is the plaintiff's responsibility to provide the court with the contact information for that precinct constable and their service fee amount. The payment for the service fee must also be paid at the time the petition is filed with the court.

CAUSE NO. _____

PLAINTIFF

§ IN THE JUSTICE COURT

v.

§
§
§
§
§
§

PRECINCT NO. _____

DEFENDANT

_____ COUNTY, TEXAS

PETITION: DEBT CLAIM CASE

Defendant(s) address: _____

COMPLAINT: The basis for the claim which entitles Plaintiff to seek relief against Defendant is:

RELIEF: Plaintiff seeks damages in the amount of \$ _____

SERVICE OF CITATION: Service is requested on Defendant(s) by: personal service at home or work, registered mail, certified mail, return receipt requested. If required, Plaintiff requests alternative service as allowed by the Texas Rules of Civil Procedure. Other addresses where Defendant(s) may be served are:

ADDITIONAL INFORMATION (CASE BASED ON CREDIT CARD, REVOLVING ACCOUNT, OR OPEN ACCOUNT):

Account/Credit Card Name: _____
Account Number (may be masked):

Date of _____ of _____ Issue/Origination:

Date of Charge-Off/Breach: _____
Amount Owed: \$ _____ as of _____

ADDITIONAL INFORMATION (CASE BASED ON PROMISSORY NOTE OR OTHER PROMISE TO PAY PERSONAL OR BUSINESS LOAN):

Date/Amount of Original Loan: _____
\$ _____
Repayment Accelerated? _____
Date Final Payment Due: _____
Amount Due on Final Payment Date: \$ _____
Amount Owed: \$ _____ as of _____

ONGOING INTEREST: Plaintiff does or does not seek ongoing interest. If so, this interest is based on the following contractual/statutory reason:

_____ and should be at _____%.
\$ _____ of interest was due as of _____

ASSIGNMENT OF CLAIM: Plaintiff was or was not assigned or otherwise transferred this claim. If so, the original claimant/creditor was _____
Subsequent holders were _____
The date the debt was assigned/transferred to Plaintiff was _____

I hereby request a jury trial. The fee is \$22 and must be paid at least 14 days before trial.
 I hereby consent for the answer and any other motions or pleadings to be sent to my email address as follows:

Plaintiff's Printed Name
Defendant's Information (if known):
Date of birth: _____
Last three digits of Driver License: _____
Last three digits of Soc. Sec. No.: _____
Phone No.: _____

Signature of Plaintiff
or Plaintiff's Attorney

Address of Plaintiff or Plaintiff's Attorney

City State Zip

Phone & Fax No. of Plaintiff
or Plaintiff's Attorney

Justice Court Civil Case Information Sheet

Case No. (FOR CLERK USE ONLY): _____

Styled: _____
 (e.g. John Smith v. All American Insurance Co; In re Mary Ann Jones; In the Matter of the Estate of George Jackson)

A civil case information sheet must be completed and submitted when an original petition is filed to initiate a new suit. The information should be the best available at the time of filing. This sheet, required by Rule of Civil Procedure 502, is intended to collect information that will be used for statistical purposes only. It neither replaces nor supplements the filings or service of pleading or other documents as required by law or rule. The sheet does not constitute a discovery request, response, or supplementation, and it is not admissible at trial.

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|---|--|
| 1. Contact information for person completing case information sheet: | 2. Names of parties in case: |
| Name: _____ Telephone: _____ Address: _____ Fax: _____ City/State/Zip: _____ State Bar No.: _____ Email: _____ Signature: _____ | Plaintiff(s): _____ Defendant(s): _____ _____ _____ [Attach additional page as necessary to list all parties] |
| 3. Indicate case type, or identify the most important issue in the case (select only 1): | |
| <input type="checkbox"/> Debt Claim: A debt claim case is a lawsuit brought to recover a debt by an assignee of a claim, a debt collector or collection agency, a financial institution, or a person or entity primarily engaged in the business of lending money at interest. The claim can be for no more than \$10,000, excluding statutory interest and court costs but including attorney fees, if any. | <input type="checkbox"/> Eviction: An eviction case is a lawsuit brought to recover possession of real property, often by a landlord against a tenant. A claim for rent may be joined with an eviction case if the amount of rent due and unpaid is not more than \$10,000, excluding statutory interest and court costs but including attorney fees, if any. |
| <input type="checkbox"/> Repair and Remedy: A repair and remedy case is a lawsuit filed by a residential tenant under Chapter 92, Subchapter B of the Texas Property Code to enforce the landlord's duty to repair or remedy a condition materially affecting the physical health or safety of an ordinary tenant. The relief sought can be for no more than \$10,000, excluding statutory interest and court costs but including attorney fees, if any. | <input type="checkbox"/> Small Claims: A small claims case is a lawsuit brought for the recovery of money damages, civil penalties, or personal property. The claim can be for no more than \$10,000, excluding statutory interest and court costs but including attorney fees, if any. |