

IN THE COUNTY COURT OF AND FOR MARION COUNTY, FLORIDA

Plaintiff	_____	Case No.	_____
	_____	Defendant	_____
Address	_____	Address	_____
	_____		_____
City	_____	City	_____
State, Zip	_____	State, Zip	_____
Phone No.	_____	Phone No.	_____

**STATEMENT OF CLAIM**

Plaintiff claims the amount of \$\_\_\_\_\_ as being due from the Defendant together with \$\_\_\_\_\_ interest, plus court costs of \$\_\_\_\_\_, which total \$\_\_\_\_\_ and alleges:

- Plaintiff further states the Defendant is not in the Military Service of the United States.
- Plaintiff further states this suit is based on a written instrument, **a copy of which is attached.**

STATE OF FLORIDA, COUNTY OF MARION: The undersigned, being duly sworn, says that the foregoing is a just and true statement of the amount owing by the Defendant to said Plaintiff, exclusive of all set-off and just grounds of defense; and this suit is brought in good faith, with no intention to annoy the Defendant subscribed before; and that the action has been brought in the County in which venue is proper pursuant to Florida Statutes, Chapter 47.

\_\_\_\_\_  
Plaintiff/Business Name

\_\_\_\_\_  
Signature and Title

Sworn to and subscribed before me this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_.

DAVID R. ELLSPERMANN, CLERK OF THE COURT

By \_\_\_\_\_ D.C.

## HOW TO FILE SUIT IN SUMMARY CLAIMS COURT

NOTE: The **original STATEMENT OF CLAIM** form must be filed with the court. You will also be required to have a copy for each defendant for service.

1. Make sure you fill in your complete name, address, city, state, zip code, and telephone number. Also, fill in the correct name, address, city, state, zip code of each defendant. If the defendant is a business, you can access Florida State Department of Corporations website at [www.sunbiz.org](http://www.sunbiz.org) to find out their Registered Agent's name and address. If your defendant has a Registered Agent, you would style your case as defendant's name (business name), in care of the Registered Agent's name.
2. Fill in the amount of your claim in the space provided. If you are claiming interest, you must state that amount in the space provided. The Clerk cannot advise you on claiming interest. Next, determine your court costs. The total is the amount you are claiming the defendant(s) owes you.
3. Briefly describe your claim in the BLANK area provided.
4. Place an "X" in the appropriate box if the defendant is not in the Military.
5. If your Statement of Claim suit is based on a written instrument (a note, check or etc.) place an "X" in the appropriate space. You must also supply the court with a copy of these documents. Additional copies will also be required for each defendant for service.

**IF YOU ARE NOT AN ATTORNEY, YOUR SIGNATURE MUST BE SIGNED AND SWORN BEFORE A DEPUTY CLERK OR A NOTARY PUBLIC.**

<b><u>FILING FEES:</u></b>	Claims of less than \$100.00	55.00
	Claims of \$100.00 up to \$500.00	80.00
	Claims <b>over</b> \$500.00 up to \$2500.00	175.00
	Claims <b>over</b> \$2,500.00 up to \$5,000.00	\$300.00
	Issuance of Summons, each	\$ 10.00
	Create Summons form, each	\$ 7.00

**SERVICE OF PROCESS ON THE DEFENDANT(S)** – Defendant(s) must be served with process before a Court Judgment can be entered for your case. Service of process can be obtained on the defendant(s) by Sheriff service, Certified Process Server, or Certified Mail (Restricted Delivery). Marion County Sheriff's Office service fee is \$40.00 per defendant, **to be paid directly to the Sheriff**. Please note F.S. 34.041 does not permit service by mail outside the State of Florida. You may contact the Clerk's Civil Division at (352) 671-5610 for specific requirements for each type of service.

Certified Mail Restricted delivery is charged per defendant at the current postage rate, plus the above-reference filing fee (F.S. 34.041 does not permit **service by mail** outside the State of Florida). **Defendant(s) must be served with process before a Court Judgment can be entered for your case.**

### **NOTICE TO PLAINTIFF AND DEFENDANT(S)**

**Pre-Trial Conference:** After the Statement of Claim is filed, a pre-trial conference will be scheduled by the Clerk. All parties in the case must appear at the time and place set for the conference. Witnesses do not appear for the pretrial conference hearing. The purpose of this hearing is to allow the court to determine the nature of this case and to set the trial date, if necessary.

**Entry of a Judgment at Pre-Trial:** If the court enters a Judgment at the Pre-trial conference, a copy of the Judgment is mailed to each party within 7 to 10 business days. Information on steps that can be taken to enforce the Judgment is available from the Clerk's Office.

**AS OPPOSING PARTIES, YOU ARE ENCOURAGED TO MAKE CONTACT** with each other to determine if an out-of-court settlement can be reached before the hearing or at any time before a Judgment is entered by the court. If a settlement is reached, it is the plaintiff's responsibility to notify and advise the Clerk's Office so the case can be removed from the Court's docket. Also, the plaintiff must file a Notice of Voluntary Dismissal with the Clerk's Office, and furnish a copy to the defendant(s). The form can be obtained from the Clerk's Office.

**NOTE: ALL PARTIES MUST** provide current updates of change of addresses. Future notices will be mailed to the address which is on file.