

# COCHISE COUNTY JUSTICE COURTS SMALL CLAIMS DIVISION PLAINTIFF'S SMALL CLAIMS CHECKLIST

THIS IS *YOUR* CASE AND THERE ARE CERTAIN THINGS *YOU* MUST DO. THE FOLLOWING CHECKLIST HAS BEEN PREPARED TO ASSIST YOU. BE SURE TO CHECK OFF EACH ITEM AS IT HAS BEEN COMPLETED.

**NOTE: IT IS IMPORTANT THAT EACH PARTY TO AN ACTION KEEP THE COURT APPRISED OF HIS OR HER CURRENT MAILING ADDRESS.**

WRITE YOUR CASE NUMBER HERE: \_\_\_\_\_

## FILING YOUR CLAIM:

- Complaint filed and filing fee paid.
- Complaint mailed to defendant by registered or certified mail, return receipt requested. Also, it must be restricted delivery to ensure only the defendant signs for the paperwork. **THE COMPLAINT WILL BE DISMISSED IF NOT SERVED WITHIN 120 DAYS OF THE DATE FILED.**
- Green receipt card with defendant's signature filed with court clerk filed on \_\_\_\_\_.
- Time to answer expires on \_\_\_\_\_, twenty (20) calendar days from date green card is signed by defendant. If card is not signed or is illegible, time begins when card is filed with the court.

## IF AN ANSWER IS RECEIVED:

- Answer received.
- If a Counterclaim is filed, reply to counterclaim, file with court and mail a copy to defendant by first class mail. Reply to counterclaim must be filed within twenty (20) calendar days.

## THE COURT WILL EITHER SEND THE CASE TO ARBITRATION /MEDIATION OR SET A TRIAL DATE.

- Hearing/trial is set for \_\_\_\_\_ (date) at \_\_\_\_\_ (time). Bring all evidence and witnesses necessary to prove your case.

## IF NO ANSWER IS RECEIVED:

- Check with civil clerk after time to answer has expired to see if an answer has been filed.
- File an *Application of Default* and mail a copy to defendant by first class mail.

## IF CASE IS SETTLED OUT OF COURT:

- File *Notice of Dismissal* with the court.

## WHEN YOU ARE PAID IN FULL:

- File *Satisfaction of Judgment* with the court.

**WARNING: YOU DO NOT HAVE THE RIGHT TO APPEAL THE DECISION OF THE HEARING OFFICER OR THE JUSTICE OF THE PEACE IN A SMALL CLAIMS COURT. IF YOU WISH TO PRESERVE YOUR RIGHT TO APPEAL, YOU MAY HAVE YOUR CASE TRANSFERRED TO THE JUSTICE COURT PURSUANT TO A.R.S. 22-504(A). IF YOU REQUEST SUCH A TRANSFER, DO IT AT LEAST TEN (10) DAYS PRIOR TO THE DAY OF THE SCHEDULED HEARING AND PAY THE TRANSFER FEE.**