

**GENERAL INFORMATION
CONCERNING FILING OF
CLERK'S SUITS OR
SMALL CLAIMS SUITS**

1. Only an individual may file a Small Claims or Clerk's Suit in this court. No incorporated business, or any type of business, may file a Clerk's Suit.
2. If you are a plaintiff filing a Small Claims Suit in Union Parish, Louisiana, you must assume the position of representing yourself in a court of law.
3. Filing Fees: One Defendant is \$425.00 deposit.
Additional defendants will require \$125.00 each.
4. As per LA R.S.13:5202 the limits of filing a Clerk's Suit: is \$5,000.00 plus interest and costs.
5. Once the suit is filed, a citation is issued to the defendant; Defendant then has ten days from the date the citation was served to respond, answer, deny or contest the matter. If defendant wishes to settle the matter, then defendant would contact plaintiff. Plaintiff would need to check with Clerk's Office to see the amount of court costs thus far incurred, as well as charge for dismissal so the plaintiff may recover their deposit.
6. If no answer is filed within ten days from date of service, you will then be entitled to take Judgment against the party sued. To effect Judgment when the above has occurred, call 318-368-3055 to check service and make sure that the ten full days have elapsed. This number will give you the exact date of service on the defendant by the Sheriff. If no answer has been filed and the ten days have elapsed, then call 318-368-3055 and ask the Deputy Clerk to please prepare the Judgment against defendant for signature by the Clerk of Court. If you wish to have the Judgment recorded in the Mortgage Records, you should ask for this to be done at this time.
7. After the Judgment has been signed by the Clerk of Court, the Sheriff will serve on the defendant a Notice of Judgment. After the Notice of Judgment has been served on the defendant, the defendant then has approximately thirty-seven (37) days to appeal the Judgment.
8. If no appeal is taken, then you will be in a position to file a garnishment petition against defendant's wages to collect the amount of your Judgment. You must be able to proceed in Third District Court with the appropriate paperwork.
9. Please keep in mind that a Clerk's Suit can be contested, answered, and/or denied by the defendant, either in proper person or through an attorney. If this should occur, the Clerk of Court will not be involved in regard to forms or advice. To obtain your day in court, a Motion and Order for trial must be prepared by you and filed with the court, along with the proper filing fees. The Motion and Order for Trial shall be served on both parties requiring the defendant's address on the motion. The nominal filing fee for this is \$150.00. If an attorney files the answer, you will need to contact him to agree upon dates to submit for the trial. When you come to court, you must bring evidence or supporting documents of your claim to the trial.
10. As per LA R.S. 13:2586(B), the Clerk of Court shall have no jurisdiction in succession or probate matters, or when a succession is a defendant, or when the state, parish or municipality, or other political corporation, is a party defendant, or when the title to real estate is involved.

THE CLERK'S OFFICE **DOES NOT** PREPARE ANY FURTHER PLEADINGS ONCE THE CASE HAS BEEN CONTESTED.

You, as plaintiff, will be held responsible for accruing court costs. If the costs exceed your deposit, you will be billed for the difference.