

PAULA S. O'NEIL
CLERK AND COMPTROLLER
PASCO COUNTY, FLORIDA

SMALL CLAIM FILING GUIDELINES

1. Claims must be from \$1.00 to \$5,000 to qualify for the jurisdiction of Small Claims Court.
2. Filing Fees: *******EFFECTIVE JULY 1, 2009*******

\$1.00 to \$100.00	\$ 55.00
\$100.01 to \$500.00	\$ 80.00
\$500.01 to \$2,500.00	\$175.00
\$2,500.01 to \$5000.00	\$300.00
3. Only a person or a corporation may sue another person or corporation in Small Claims Court. If plaintiff or defendant is a small business, you need the name of the owner(s) d/b/a (doing business as, this includes a company) the name under which they work. If the name of the defendant is a corporation, we need the name of the registered agent or a corporate officer, so that service may be effected properly. Corporation or fictitious name records may be researched online at www.sunbiz.org/search.html
4. If you are suing an insurance company, the Notice to Appear MUST be served through the Florida Chief Financial Officer as Registered Agent for a fee of \$15.00, which must be paid by separate check.
5. The defendant must either live in Pasco County **-or-** the transaction must have taken place in Pasco County.
6. Fill out the Statement of Claim form. In the space provided, please give a short explanation of why you are suing the defendant. Please include dates of transactions where necessary.
7. When completing the Statement of Claim, have your signature notarized on the bottom, in the presence of a notary public. Make sure the notary has included his/her seal and expiration date. Or, you can bring the unsigned claim form into our office and the Deputy Clerk may administer an oath and acknowledge your signature. The fee for this service is \$3.50. The Clerk and Comptroller requires that you provide the original and two copies per defendant.
8. If you have any documents or papers relating to your case, or to back up your statements, please include a copy of them for your court file and a copy for each defendant. Please bring your original papers to court with you.

9. Upon payment of the legal fee of \$17.00 per defendant, we will prepare and issue the Summons and Notice to Appear. If you wish to prepare the Summons and Notice to Appear yourself, the fee for the Deputy Clerk to sign and seal this document is \$10.00 for each defendant. This Notice to Appear sets the court date and time for the pre-trial hearing. You will receive a copy of the Notice in the mail. YOU MUST appear in court on the date specified if the defendant is served.
10. We must have a correct mailing address to serve the defendant by certified mail, and if you wish your defendant served that way, there is an additional \$5.54 (Effective 5/11/09) added to your filing fee, for each defendant. Please Note: A Company or Corporation cannot be served by certified mail. If you wish to have the defendant(s) served by sheriff, there is a fee of \$40.00 per defendant for the Sheriff's office in most Florida counties. Personal checks will be accepted from local banks for Pasco County Sheriff's office, cashier checks or money orders will be necessary for out-of-county service. Please remember the sheriff's fee is not included with the filing fee, but is in a separate check.
11. If service is made by Pasco County Sheriff's office, their office will forward to you a copy of the affidavit of service, or non service and return the original to the Clerk and Comptroller office for filing. If you do not receive confirmation of service prior to your hearing date, it is your responsibility to contact the Sheriff's office to confirm if your defendant has been served. If service was sent to a county other than Pasco, the Sheriff's office will mail you the original proof of service or non service. It will be your responsibility to file this original proof with the Clerk and Comptroller office prior to your hearing date.
12. We cannot accept personal out of state checks for the filing fee. Please enclose a money order or cashier's check. Business checks drawn on banks within the State of Florida will be accepted for the filing fee. Checks or money orders should be made payable to Paula S. O'Neil, Clerk & Comptroller.

If you have any further questions, please contact us at:

Mailing Address: Paula S. O'Neil, Clerk & Comptroller
P.O. Box 338
New Port Richey, FL 34656-0338

Physical Address: Pasco County Courthouse
38053 Live Oak Avenue
Dade City, FL 33523
(352) 521-4517
-or-
West Pasco Judicial Center
7530 Little Road - Suite 105
New Port Richey, FL 34654
(727) 847-8176