



City Of
EAST LIVERPOOL

MUNICIPAL COURT

OHIO, U.S.A.

43920

126 WEST SIXTH STREET

MELISSA BYERS-EMMERLING, Judge

PHONE: (330) 385-5151

FAX: (330) 385-1566

David K. Mumaw, Bailiff
Candace K. Moore-Page, Clerk
Juli Tice, Chief Probation Officer
Kara Rose, Intensive Supervision Probation Officer
Sara Norris, Probation Intake Officer

Jeannette McIntosh, Deputy Clerk
Janice A. Rodfong, Deputy Clerk
Shirley L. Flati, Deputy Clerk

Hours are Monday through Friday from 8:00 a.m. to 3:00 p.m.

FILING A SMALL CLAIMS CASE

**SMALL CLAIMS COURT IS FOR THE RECOVERY OF MONEY ONLY
- NOT THE RETURN OF THE PROPERTY**

1. You do not need an attorney, however, upon filing a small claims case, you assume ALL RESPONSIBILITY of the filing and all following actions. If INCORPORATED, you must be represented by an attorney. Clerks are not attorneys and are not permitted by Law to render legal advice. The clerk's office does provide complaint forms for you to fill out.
2. The small claims limit is \$3,000.00; any amount over \$3,000.00 will have to be reduced to \$3,000.00, including counterclaims/crossclaims.
3. **A filing fee of \$61.00 is due at the time of filing. CASH OR MONEY ORDER ONLY.** If you win the case, the costs are made part of your award.
4. The defendant must live in the city of East Liverpool, St. Clair Township or Liverpool Township; or the cause of action must have occurred in the city of East Liverpool, St. Clair Township or Liverpool Township.
5. You must have the complete name and address of the defendant(s).
6. **SMALL CLAIMS HEARINGS ARE FOR 15 MINUTES ONLY. IF YOUR CASE IS TO RUN OVER THE 15 MINUTES, PLEASE CONTACT THE COURT IMMEDIATELY.**
7. Bring proof of your claim: Paid receipts; two (2) written estimates of damage or loss; invoices on overdue accounts, witnesses, etc. If your case involves a contract, you must file a copy with the complaint.
8. Arrive to file you small claim cases between the hours of 8:00 a.m. to 3:00 p.m. Monday through Friday. The small claims division is open during lunch hours.
9. When filing against a business, you must have the first and last name of the owner of the business, unless the business is INCORPORATED. If incorporated, call the Ohio Secretary of State for the proper name if unknown.

10. The majority of cases filed will be heard on the date assigned. However, if the court has not received the certified mail receipt, the hearing date may be continued. The Court will notify you in writing with a (postcard) of notice of failure of service.

----PLEASE TURN OVER----

11. After you have been granted a judgment, it is your responsibility to find out where the other party works, banks, or has assets in order for the court to assist you in filing paperwork to collect your money. There are filing fees for collection actions. A wage garnishment is \$60.00 and a bank garnishment is \$60.00 plus \$1.00 made out to the bank that will be receiving the garnishment.
12. If you have witnesses, bring them to court at the time of the hearing. If you wish to subpoena a witness, do so at least one(1) week before the hearing date. You must have the name and address of the witness, a \$6.00 cash or money order for a witness fee, a \$3.00 subpoena fee, and either a \$5.00 city mileage fee or an \$8.00 township mileage fee.

CAN YOU COLLECT IF YOU WIN?

This is one of the most crucial, but overlooked questions involved in suing in small claims court. If the person you sue has little or no money or property, you won't collect a thing. **The Court will not collect the judgment for you-you must do it.**

Generally speaking, if the person you are suing has a job, or you know where he or she banks, or if he or she owns equity in real property other than a house protected by a local homestead exemption, or if you are suing a solvent business, you will be able to collect your judgment. But if your dispute is with a person or business with no obvious way to pay, you may be wasting your time and money going to Court.