

JUSTICE COURT NOTICE OF CLAIM
GREENWICH TOWN COURT
2 ACADEMY STREET, GREENWICH, NY 12834
PHONE: 518-692-7611 FAX: 692-7137

COUNTY OF WASHINGTON

SMALL CLAIMS PART

GEOGRAPHIC JURISDICTION: You must bring the action where the Defendant resides, is employed or has a place of business at the time you start the action.

MONETARY JURISDICTION: Up to \$3000 -- MONEY ONLY!!

WHO CAN USE SMALL CLAIMS: You must be an individual 18 years or older. Under 18 years, action must be brought by a parent or guardian. Corporations, Partnerships, Associations or Assignees CANNOT bring actions in Town & Village Small Claims Court.

COSTS: Filing Fee--\$10 for claims of \$1000 or less, \$15 for claims of \$1000+ to \$3000. Filing Fee is paid at time of filing. Small Claims notices will be mailed by the Court and a copy will be mailed to you to notify you of the date and time of the hearing. Bring evidence and witnesses to the hearing.

TO DEFENDANT: NAME _____

ADDRESS _____ PH# _____

Take Notice that: PLAINTIFF'S NAME _____

ADDRESS _____ PH# _____

asks judgment in this Court against you for \$ _____, together with costs upon the following claim:

In agreement with which Plaintiff hereby signs and demands Judgment.

Signature of Plaintiff/Attorney for Plaintiff

There will be a hearing before the Court upon this on _____ 200__ at _____ PM
____ Academy Street, Greenwich, NY 12834.

You must appear and present your defense and any counterclaim you may desire to assert at the hearing at the time and place above set forth (a corporation must be represented by an attorney or any authorized officer, director or employee). **IF YOU DO NOT APPEAR, JUDGMENT WILL BE ENTERED AGAINST YOU BY DEFAULT, EVEN THOUGH YOU MAY HAVE A VALID DEFENSE.** If your defense or counterclaim, if any, is supported by witnesses, account books, receipts or other documents, you must produce them at the hearing. The Clerk, if requested, will issue subpoenas for witnesses, without fee thereof.

If you wish to present a counterclaim against the claimant, you must do so by filing with the Clerk of the Court a statement containing such counterclaim within five days of receiving this notice of claim. At the time of such filing you must pay the Clerk a filing fee of \$3.00 plus the cost of postage to send the counterclaim by first class mail to the claimant. If you fail to file a counterclaim within this 5-day period, you retain the right to file the counterclaim until the time of hearing, but the claimant may request and obtain an adjournment of the hearing on the counterclaim at a later date.

If you admit to the claim, but desire time to pay, you must appear personally on the day set for the hearing and state to the Court your reasons for desiring time to pay.

Dated _____, 20____

Clerk/Justice

A Guide to Small Claims Court is available at the Court listed above. Note: if you desire a jury trial, you must, before the day upon which you have been notified to appear, file with the Clerk of the Court a written demand for a trial by jury. You must also pay to the Clerk a jury fee of \$10 and file an undertaking fee of the sum of \$50, or deposit such sum in cash to secure the payment of any costs that may be awarded against you. You will also be required to make an affidavit specifying the issues of fact which you desire to have tried by a jury and stating such trial is desired and demanded in good faith. **Under the Law, the Court may award \$ 25 additional costs to the plaintiff if a jury trial is demanded by you and a decision is rendered against you.**