

Hocking County Municipal Court
1 E Main Street, P. O. Box 950
Logan, Ohio 43138
(740) 385-2250

SUMMARY OF RULES FOR FILING A SMALL CLAIM

1. The amount claimed cannot exceed \$3,000.00 and you may not separate your claim into multiple suits. The statutory rate of interest on civil judgments for the calendar year 2012 is 3%.
2. There is a \$40.00 filing fee for the filing of a Small Claims Complaint that names one defendant, and a \$10.00 charge for **each** additional defendant. These costs can be recovered, provided you win your suit.
3. You must know the address of the party against who you file suit. The court will serve the defendant by certified mail at this address unless another form of service is requested. It is the responsibility of the Plaintiff to monitor the status of service of the complaint.
4. If you are a minor, under 18, you must have your parent or guardian file the suit for you.
5. You may not sue a minor. You may sue a minor through his parent or legal guardian.
6. The party filing the suit must prove their case by a preponderance (more likely than not) of the admissible, credible evidence.
7. The initial small claims hearing will be handled as a pretrial. This is an opportunity for the parties to settle the dispute without a formal hearing before the Judge. If a resolution is not reached at this hearing, the Clerk will schedule a trial before the Judge. Your case may also be scheduled for a mediation hearing. You and the other party would appear before an attorney who will speak to you and the other party. This may help you resolve your differences.
8. **THE MEMBERS OF THE CLERK'S OFFICE ARE NOT ATTORNEYS AND BY LAW CANNOT GIVE ANY LEGAL ADVICE.** If you require legal advice, you must get the advice from an attorney. You have the right to hire an attorney at your own expense.
9. When a judgment is obtained and if the defendant refuses to pay, the Clerk's office will supply the plaintiff (person bringing suit) with the necessary forms to attempt collection of the judgment. However, it is the responsibility of the plaintiff, and not the court, to collect the judgment.