

PROCEDURE FOR FILING A SMALL CLAIM ACTION
EASTLINE JUSTICE COURT, WEST WENDOVER, NEVADA

The defendant must live, work, or do business within Eastline Township at the time the claim is filed. Before you file your claim you must demand payment through a ten-day letter of demand. The amount you file for cannot be more than you demanded in your letter. You must provide a copy of your letter of demand to the court at the time of filing.

The maximum amount you can file for is \$5,000.00. Small claim actions can only be filed for monies owed. For example, this type of action cannot be used to order the return of property, award a judgment for pain and suffering, or be used to enforce a divorce decree or child support order. Attorneys do not represent either party in this type of action. However, the parties can seek legal advice. Please keep in mind that the court cannot give legal advice.

You must sign the Affidavit of Indebtedness before a court clerk or a notary public. After the Affidavit has been signed, forward it with a copy of your demand letter to Eastline Justice Court, P.O. Box 2300, West Wendover, Nevada 89883. Please include any additional information that may help the Sheriff's Department locate the person you are suing to serve the Affidavit.

You must include a separate check or money order for the filing fee and cost of service. The filing fees are as follows:

\$26.00 for a claim amount less than or equal to \$1,000.00

\$46.00 for a claim amount between \$1,001.00- \$2,500.00

\$66.00 for a claim amount between \$2,501.00- \$5,000.00

If you do not know a physical address for the defendant, or wish to have the claim served by certified mail, include \$6.00 in your check or money order for the filing fee.

If you wish the claim to be served by the Sheriff's Department, include a **separate** check or money order for \$17.00 for one defendant or \$32.00 for two defendants at the same residence (i.e. husband and wife). The costs of service are **estimated costs**. The Sheriff's Department charges per attempt and for mileage. If you receive a bill from the Sheriff's Department for more than the estimated amounts listed above, please pay the fee then forward a copy of the bill to the court. Any additional cost of service will be added to your claim.

Please keep in mind that if service is not made on the defendant, the court cannot enter a judgment in your behalf.

Three to four weeks after filing your claim, contact the Eastline Justice Court Civil Clerk at 775-664-2305 to check on the status of the claim. The court will **not contact you** to advise you of entry of judgment or of unsuccessful service attempts. The court will only contact you if the case is set for trial. If the case is set for trial the court will mail you a letter to advise you of the setting.