

Small Claims Frequently Asked Questions:

1. How do I file a Small Claims Case?

There is a small claims new case packet available online www.dc18.org/small-claims or available in person at the Sedgwick County District Court, Civil Department. Complete the required forms for filing. There is a filing fee required at the time of filing.

2. Where do I file a new Small Claims Case?

You may file your small claims paperwork by fax, by mail, the labeled drop box directly in front of the Sedgwick County Courthouse, or in person. In person office hours are 8:00 a.m. to 4:00 p.m. Monday through Friday excluding holidays.

3. Who can I sue?

You can sue any person or business in Kansas that you believe owes you money or property. You may not sue the state, local government or government entity in small claims court.

4. How much can I sue for?

Your total claim against a defendant may not exceed \$4000.00, not including interest, costs and any damages awarded under KSA 60-2610 and amendments thereto. If you are seeking the recovery of property, the value of property shall be based on your estimate of its value under oath.

5. How much does it cost to file a small claims case?

For the recovery of money or property valued at \$500.00 or less the fee is \$49.50 to file a new small claims case. For the recovery of money or property valued at \$500.01 up to \$4,000.00, the fee is \$69.50 to file.

6. Where can I get the forms I need for a small claims new case?

The small claims new case packet is available online at www.dc18.org/small-claims and is available in person at the Sedgwick County District Courthouse, in the civil department located on the 11th floor.

7. Where can I get the forms I need once a case has been filed?

The majority of our small claims paperwork for filing is available online www.dc18.org/small-claims in a fillable format. You may also print and clearly handwrite. The forms are also available in person at the Sedgwick County District Courthouse, in the civil department located on the 11th floor.

8. What if I do not know the address of the person I am trying to serve?

It is the filer's obligation to provide an address for service to be attempted. If you are unsure how to proceed, you may want to seek legal advice for your case.

9. How can a summons be served?

The sheriff can serve the summons personally. There is a fee of \$15.00 payable to the county sheriff for service to be performed. The summons can also be served certified mail by the litigant. The litigant is responsible for filing with the court the green card return.

10. What happens at a small claims bench trial?

Each case is different but each party should appear on time, ready to present their case to the judge. This includes any witnesses you may need or any documents, papers or other materials you believe the judge may need. During the trial, your case may be referred to mediation. The judge may continue your case to another date to make his ruling or, may rule on your case same day. You should follow all court rules and procedures during your hearing.

11. Can I continue my court date?

Each party is allowed one continuance. This should be done no less than 7 days prior to your scheduled hearing.

12. Are small claims hearings available by zoom?

Yes, zoom hearings are available for small claims hearings. You will need to notify the court if you will attend your scheduled hearing by zoom. Instructions will be provided to you.

13. I won my case, how do I collect my judgment?

It is the judgment creditors' (the one who won the case) responsibility to collect the awarded judgment. The court clerks are not allowed to provide any legal advice how you should proceed. Small claims does have paperwork available online or in person for post judgment filings. You may also hire an attorney to assist you with any post judgment filings.

14. When will I receive my payment when it is submitted to the court?

If money is paid to the court, it could take up to 21 days for money to be disbursed.

15. I've moved, how do I change my address?

You will need to fill out a change of address form found online or in person and file it with the small claims department.