JUSTICE COURT CIVIL CASE INFORMATION SHEET (4/13)

Small Claims

CAUSE NUMBER *(FOR CLERK USE ONLY)*: _____

STYLED _____

(e.g., John Smith v. All American Insurance Co; In re Mary Ann Jones; In the Matter of the Estate of George Jackson)

A civil case information sheet must be completed and submitted when an original petition is filed to initiate a new suit. The information should be the best available at the time of filing. This sheet, required by Rule of Civil Procedure 502, is intended to collect information that will be used for statistical purposes only. It neither replaces nor supplements the filings or service of pleading or other documents as required by law or rule. The sheet does not constitute a discovery request, response, or supplementation, and it is not admissible at trial.

1. Contact information for person completing case information sheet:		**2. Names of parties in case:**
Name: _____	Telephone: _____	Plaintiff(s): _____ _____
Address: _____	Fax: _____	Defendant(s): _____ _____ _____
City/State/Zip: _____	State Bar No: _____	[Attach additional page as necessary to list all parties]
Email: _____		
Signature: _____		

3. Indicate case type, or identify the most important issue in the case *(select only 1)*:	
☐ ***Debt Claim***: A debt claim case is a lawsuit brought to recover a debt by an assignee of a claim, a debt collector or collection agency, a financial institution, or a person or entity primarily engaged in the business of lending money at interest. The claim can be for no more than $10,000, excluding statutory interest and court costs but including attorney fees, if any.	☐ ***Eviction:*** An eviction case is a lawsuit brought to recover possession of real property, often by a landlord against a tenant. A claim for rent may be joined with an eviction case if the amount of rent due and unpaid is not more than $10,000, excluding statutory interest and court costs but including attorney fees, if any.
☐ ***Repair and Remedy***: A repair and remedy case is a lawsuit filed by a residential tenant under Chapter 92, Subchapter B of the Texas Property Code to enforce the landlord's duty to repair or remedy a condition materially affecting the physical health or safety of an ordinary tenant. The relief sought can be for no more than $10,000, excluding statutory interest and court costs but including attorney fees, if any.	☐ ***Small Claims:*** A small claims case is a lawsuit brought for the recovery of money damages, civil penalties, personal property, or other relief allowed by law. The claim can be for no more than $10,000, excluding statutory interest and court costs but including attorney fees, if any.

Small Claims Case Packets

Small Claims Cases may be filed Monday thru Friday 8:00 a.m. to 4:00 p.m..

Beginning August 31, 2013 the cost is $41.00 to file and $90.00 per person served.

PETITION: SMALL CLAIMS CASE

CASE NO. (court use only) _____

In the Justice Court, Precinct _____, _____ County, Texas

PLAINTIFF_____

VS.
DEFENDANT(S):_____
Defendant(s) contact info: _____

COMPLAINT: The basis for the claim which entitles the plaintiff to seek relief against the defendant is:
_____
_____
_____
_____
_____
_____

RELIEF: Plaintiff seeks damages in the amount of $_____, and/or return of personal property as described as follows (be specific): _____, which has a value of $_____.
Additionally, plaintiff seeks the following: _____
_____.

SERVICE OF CITATION: Service is requested on defendants by personal service at home or work or by alternative service as allowed by the Texas Justice Court Rules of Court. Other addresses where the defendant(s) may be served are:
_____.

☐ **If you wish to give your consent for the answer and any other motions or pleadings to be sent to your email address, please check this box, and provide your valid email address: _____.**

_____
Petitioner's Printed Name

_____
Signature of Plaintiff or Attorney

DEFENDANT(S) INFORMATION (if known):
DATE OF BIRTH:_____

*LAST 3 NUMBERS OF DRIVER LICENSE:_____
*LAST 3 NUMBERS OF SOCIAL SECURITY:_____

DEFENDANT'S PHONE NUMBER:_____

_____
Address of Plaintiff's Attorney, if any, or Plaintiff if none

_____
City State Zip

_____
Phone & Fax No. of Plaintiff's Attorney, if any, or Plaintiff if none

NOTICE

The Soldiers' and Sailors' Civil Relief Act of 1940 and renamed Service members Civil Relief Act as codified at 50 U.S.C. App. et.seq. and recently amended and passed by the 108th Congress last year requires that in any civil case in which the defendant does not make an appearance, and before entering judgment for the plaintiff, the court must require the plaintiff to file an affidavit that:

(a) states whether or not the defendant is on active duty in military services and show necessary facts to support the affidavit; or

(b) If the plaintiff is unable to determine whether or not the defendant is on active duty in military services, states that the plaintiff is unable to determine whether or not the defendant is in military services.

Only if the affidavits establish that the plaintiff is not an active service member can the court proceed with a default judgment in the normal fashion.

NOTICE:

The nonmilitary affidavit must be filed at the time of filing of all evictions and civil suits.

FORM 126 – SERVICEMEMBER'S CIVIL RELIEF ACT

DEFENDANT: _____

AFFIDAVIT
50 USC SEC. 520

PLAINTIFF BEING DULY SWORN ON OATH DEPOSES * AND SAYS THAT DEFENDANT(S) IS (ARE)

(*CHECK ONE*)

- ☐ **NOT IN THE MILITARY**
- ☐ **NOT ON ACTIVE DUTY IN THE MILITARY AND / OR**
- ☐ **NOT IN A FOREIGN COUNTRY ON MILITARY SERVICE**
- ☐ **ON ACTIVE MILITARY DUTY AND / OR IS SUBJECT TO THE SERVICEMEMBERS CIVIL RELIEF ACT OF 2003**
- ☐ **HAS WAIVED HIS / HER RIGHTS UNDER THE SERVICEMEMBERS CIVIL ACT OF 2003**
- ☐ **MILITARY STATUS IS UNKNOWN AT THIS TIME**

_____
PLAINTIFF

(SELECT THE APPLICABLE TITLE UNDER THE SIGNATURE FOR THE JURAT BELOW)

SUBSCRIBED AND SWORN TO BEFORE ME ON THIS THE _____DAY OF _____, 20_____.

_____
NOTARY / CLERK

- ☐ **NOTARY PUBLIC IN AND FOR THE STATE OF TEXAS**
- ☐ **CLERK OF THE JUSTICE COURT**

_____
SEAL

***PENALTY FOR MAKING OR USING FALSE AFFIDAVIT – A PERSON WHO MAKES OR USES AN AFFIDAVIT KNOWING IT TO BE FALSE, SHALL BE FINED AS PROVIDED IN TITLE 18, UNITED STATES CODE, OR IMPRISONED FOR NOT MORE THAN ONE YEAR OR BOTH.**