

***ALL SHADED AREAS
MUST BE COMPLETED.

**BATON ROUGE CITY COURT
SMALL CLAIMS DIVISION
233 St. Louis St.
P. O. Box 3438
Baton Rouge, LA 70821
(225) 389-3017**

STATEMENT OF CLAIM AND CITATION

R.S. 13:5200 et seq.

SUIT NUMBER: _____

PLAINTIFF

VERSUS

DEFENDANT

(By signing this petition, I verify that I have read and understand the
Court's publication: "How to Use the Small Claims Division.")



FULL NAME OF PARTY BEING SUED



NAME OF OWNER IF SUING A COMPANY

FULL NAME OF SUING PARTY



STREET ADDRESS OF DEFENDANT

DAYTIME PHONE



CITY, STATE, ZIP CODE

DAYTIME PHONE

STREET ADDRESS OF PLAINTIFF



OTHER ADDRESS FOR DEFENDANT

CITY, STATE, ZIP CODE



CITY, STATE, ZIP CODE

PLAINTIFF CLAIMS THE FOLLOWING RELIEF FROM THE DEFENDANT (Short Statement of Plaintiff's claim and reasons.) If claim is for money, state the date and manner in which indebtedness arose. If claim is for movable property, give description, location, and value. Attach copies of any written supporting documents.

Amount sued for \$ _____ plus legal interest and court costs.

I am requesting that this matter be heard by:
(Check One) Arbitrator Judge

(If additional space is needed, complete Attachment – Page 8.)

NOTICE TO ALL PARTIES: During the pendency of this lawsuit, the Court will contact you at the above address and phone number that you have provided. **If either address or phone number should change, you must notify the Court immediately.** Your case may be decided by an Arbitrator, who is a licensed attorney, appointed by the Judge. If so appointed, and the parties agree to be bound by his arbitration, his decision will be final and binding. **Citation continued on the following page.**

SIGNATURE OF PLAINTIFF

If there is an attachment, check here

FILED: _____

Deputy Clerk: _____

PLEASE SERVE DEFENDANT/AGENT:

At: _____

CITATION – PAGE 2
La.R.S. 13:5204(b)

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*** * * ATTENTION * * ***

This lawsuit is filed in the Small Claims Division.

The ordinary rules of evidence do not apply in the Small Claims Division.

If you lose in the Small Claims Division, you have no right to appeal the Court's decision.

Your matter will be tried before a Judge, unless both parties request in writing that the matter be heard before an arbitrator. This preference can be made on the first page of the Petition or Answer, whichever applies, in the designated box. The preference for arbitration must be filed with the Clerk of the Small Claims Division no later than ten days from the date on which you receive this notice. Copies of the written preference should be sent to all other parties in this matter.

You may have this case transferred to the regular Civil docket. To do so, you must file your answer and written notice of that intent to transfer with the Clerk of City Court within ten (10) days, including weekends, and pay a transfer fee of \$50.00.

If you are unsure of what to do, you should talk with an attorney about it immediately.

If you want to contest this claim, you must decide whether or not you want the case to remain in the Small Claims Division. The advantages of the Small Claims Division are that trial procedures are not strictly enforced and the formal rules of evidence do not apply. The disadvantage is that there is no appeal from the decision upon the case. You do not need a lawyer, but if you wish to retain one, you may do so. Corporations, partnerships and other legal entities may defend themselves through a duly authorized partner, shareholder, officer or employee on any claim not exceeding \$3,000.00, if the basis of the suit involves an open account or promissory note. In all other such cases, an attorney is required to represent these entities.

If you decide to contest this claim in the Small Claims Division, you must contact the Clerk of the Small Claims Division in writing within ten (10) days, including weekends, of receiving this letter. To do so, use the form which is provided entitled "Defendant's Answer."

If you plan to file a reconventional demand (counterclaim) against the Plaintiff in an amount exceeding \$3,000.00, you must have the case transferred to the regular Civil Docket and pay the appropriate fee.

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At: _____

FILED: _____

Deputy Clerk: _____

A True Copy: _____

Deputy Clerk: _____

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CITY, STATE, ZIP CODE DAYTIME PHONE

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PERSONAL

I served the original citation and process and certified copy of any accompanying document on the _____ day of _____, 20____ on the within named, _____, in the Parish of East Baton Rouge, State of La., by tendering same to or the agent/atty., _____

in **PERSON** at _____

Deputy City Constable, City of Baton Rouge

DOMICILIARY

I served the original citation and process and certified copy of any accompanying document on the _____ day of _____, 20____ on the within named, _____, at his dwelling, house, or usual place of **DOMICILE** at _____

by leaving same with _____

a person of suitable age and discretion residing therein as a member of within named person's domiciliary establishment.

Deputy City Constable, City of Baton Rouge

DUE AND DILIGENT

I received the original citation and process and certified copy of any accompanying document on the _____ day of _____, 20____. After diligent search and inquiry, I was unable to find the within named, _____, at his domicile, or anyone legally authorized to represent him.

I, therefore, return original citation and process **NOT SERVED** on this _____ day of _____, 20____ because _____

Deputy City Constable, City of Baton Rouge

Service Fee \$ _____

Mileage \$ _____

TOTAL \$ _____

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***** DEFENDANT'S ANSWER *****

R.S. 13:5200 et seq.

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CITY, STATE, ZIP CODE



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THIS FORM MAY BE USED TO NOTIFY THE SMALL CLAIMS COURT WHETHER OR NOT YOU INTEND TO CONTEST THE
PLAINTIFF'S CLAIM. CHECK THE STATEMENT BELOW THAT APPLIES.

- _____ 1. I do not owe the Plaintiff any part of what he/she claims; or
- _____ 2. I owe the Plaintiff only part of what he/she claims; or
- _____ 3. I owe the Plaintiff what he/she claims, and waive any further appearance and/or delays and consent to judgment against me in the amount sought.

I am requesting that this matter be heard by:
(Check One) Arbitrator Judge

**FILL IN THIS SECTION
COMPLETELY**

DATE: _____

SIGNATURE: _____

PHONE NUMBER: _____

ADDRESS: _____

I HEREBY CERTIFY that the above and foregoing Answer has been served upon the opposing party by mailing a copy, first class postage pre-paid, addressed to:

On this _____ day of _____, 20_____.

Signed _____

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VERSUS

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***** RECONVENTIONAL DEMAND *****

WHETHER OR NOT YOU BELIEVE YOU OWE THE PLAINTIFF ANYTHING, YOU MAY HAVE A CLAIM OF YOUR OWN AGAINST THE PLAINTIFF. YOU MAY RAISE YOUR CLAIM AS PART OF THIS CASE AND HAVE IT DECIDED AT THE SAME TIME. IF YOUR CLAIM IS FOR AN AMOUNT OVER THE JURISDICTION OF THE SMALL CLAIMS COURT (\$3,000.00), YOU MUST SUBMIT A NOTARIZED AFFIDAVIT (SWORN STATEMENT OF THAT CLAIM) AND HAVE THE CASE TRANSFERRED TO THE REGULAR DOCKET OF CITY COURT. CONTACT THE CLERK OF COURT REGARDING COURT COST DEPOSITS AND FOR OTHER INFORMATION.

PLAINTIFF OWES ME \$ _____ FOR THE FOLLOWING REASON(S):

**FILL IN THIS SECTION
COMPLETELY**

DATE: _____ SIGNATURE: _____

PHONE NUMBER: _____ ADDRESS: _____

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PLEASE SERVE PLAINTIFF:

At: _____

I HEREBY CERTIFY that the above and foregoing Reconventional Demand has been served upon the opposing party by mailing a copy, first class postage pre-paid, addressed to:

On this _____ day of _____, 20____.

Signed _____

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STATEMENT OF CLAIM AND CITATION (ATTACHMENT)

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A True Copy: _____

At: _____

Deputy Clerk: _____