

## How to Prepare and File Your Claim

1. **Plaintiff:** The person filing the claim is known as the "plaintiff". As the plaintiff, you may claim money that is due to you only. You may not file a claim for someone else's money. Enter your legal name, your full address including zip code, and phone number in the upper left hand corner on the lines designated.
2. **Defendant:** The party you seek money from is known as the "defendant". In the upper right hand corner of the form on the lines designated, enter the name, address, and phone number (if known) of the defendant. If there is more than one defendant, enter the names, addresses, and phone numbers of each of the defendants.

If you are filing against a corporation, enter the name of the corporation and the address of its usual place of business. All cases must be properly venued; that is, properly within the court's geographic jurisdiction. Generally, venue is proper in the cities of Perrysburg, Rossford, and Northwood; the townships of Perrysburg, Lake, and Troy; and the villages of Luckey, Millbury, and Walbridge if either the incident or transaction giving rise to the claim occurred in the locations mentioned, or if the defendant resides or conducts business in the locations mentioned.

3. **The Amount of Your Claim:** You may ask for money only. No other recovery is permitted in the Small Claims Division. You may not recover "punitive damages", nor lost wages, traveling expenses, costs of obtaining evidence, baby-sitting and the like, incidental to your court action. You may recover court costs and interest from the defendant if you win your case.
4. **The Nature of Your Claim:** In a brief statement, explain why the defendant is indebted to you. Include in your explanation where, when, and how the debt arose. It is not necessary to explain your past efforts to collect this money.

In your statement, always refer to yourself as "plaintiff" and the opposing party as "defendant." Here are examples of complaints which are commonly filed in the Small Claims Division:

- a. Complaint for Motor Vehicle Property Damage:
  1. On (date of accident), at (street location) in (City), Ohio, defendant negligently operated a motor vehicle into plaintiff's (make, model) automobile, proximately causing \$\_\_\_\_\_ in damage.
- b. Complaint for Money Lent:
  1. Defendant owes plaintiff \$ \_\_\_\_\_ for money lent to defendant on (date of loan).
- c. Complaint for Wages:
  1. Defendant owes plaintiff \$ \_\_\_\_\_ for wages earned between (date) and (date).
- d. Complaint for Rental Security Deposit Refund:

1. On (date), plaintiff and defendant entered into an agreement for the rental of the premises at (address of rental property). Plaintiff paid defendant \$\_\_\_\_\_ as security deposit, to be refunded to plaintiff at the termination of the rental agreement.
  2. On (date), the rental agreement was terminated and plaintiff gave to the defendant plaintiff's forwarding address in writing. Defendant has failed to refund plaintiff's security deposit.
- e. Complaint by Business for Money Due:
1. Defendant owes plaintiff \$\_\_\_\_\_ on an account, a copy of which is attached hereto as Exhibit 'A.'

The examples above demonstrate a concise, non-technical way of stating the facts, so anyone reading your complaint may understand the nature of your claim. If the examples do not apply to your case, simply state the facts in your own words.

5. **Signing the Form:** You must sign the form in the presence of the Deputy Clerk of the Court or a Notary Public.
6. **Filing Procedure:** Return the form to the Civil Division office. The clerk will schedule your case for trial. You must pay a \$55.00 filing fee with the Clerk at this time.
7. **Legal Advice and Assistance:** Representation by an attorney at law is permitted, but it is not required. If you need legal advice, you should contact your attorney.
8. **Corporations and Limited Liability Companies:** Corporations and limited liability companies may only file a complaint in small claims or appear in court to defend a small claims complaint through an attorney at law, a bona fide officer, or a salaried employee. Without an attorney, a corporation or a limited liability company may only present their own testimony and they may not engage in any acts of advocacy, including argument and cross-examination.