

Small Claims Court For Property

Self Help Kit

We are unable to issue refunds on packets that leave our office.

Necessary Actions Prior to Filing at Clerk's Office

- Fill out all applicable forms completely.
- Make 2 sets of copies (1 for yourself & 1 for Respondent).

Fees due at time of filing:

Filing fee – See Price Sheet in Packet

Preparation of Summons - \$7.00 per defendant

Issuance of Summons - \$10.00 per set

If copies needed - \$1.00 per page

Notarization by Clerk (*if necessary*) - \$10.00 per document



Citrus County

Clerk of Court and County Comptroller

SMALL CLAIMS REPLEVIN - FOR PROPERTY

An action for replevin may be brought in small claims court when the value of the property does not exceed \$8,000.00 and the following fees are paid. It is recommended that prior to filing suit, you contact the other party in an attempt to reach a solution to your dispute. If you are not sure that you have a valid legal claim against the other party, you may need to seek the advice of an attorney.

TO FILE A CLAIM

Cases may be filed at the Clerk of the County Court where the:

- * Defendant lives
- * Property sought to be replevied is located
- *Property in dispute is located
- *Cause of action occurred

Claims can be filed by or against an individual, business, or corporation. The exact legal name, complete address and phone number of the defendant is required. In the case of a business, this information may be obtained from the City or County Occupational License Department.

SERVICE ON A DEFENDANT

Service on a defendant must be made by a process server. A listing of process servers can be located on the [The 5th Judicial Circuit Website at www.circuit5.org](http://www.circuit5.org). Payment arrangements must be made with the process server directly.

ORDER TO SHOW CAUSE AND FINAL HEARING

The clerk obtains two hearing dates from the Judge's office for Show Cause and a Final Hearing and prepares the Order to Show Cause and Summons to be served. You will receive a copy of both orders stating dates and times for you to appear.

WRIT OF REPLEVIN AND FINAL JUDGMENT

After the Show Cause hearing the clerk will prepare an Order and Prejudgment Writ of Replevin when directed by the court.

After the Final Hearing, the clerk will prepare a Final Judgment when directed by the court. If a Prejudgment Writ has not previously been issued, the clerk will prepare a **Writ of Replevin at this time.**

To execute the Writ of Replevin, a fee for sheriff service will be required. Please see the price sheet for the current cost

CLERK OF THE CIRCUIT COURT AND COMPTROLLER

110 N. Apopka Avenue
Inverness, Fl. 34450-4299
(352) 341-6424

**COUNTY COURT IN AND FOR CITRUS COUNTY
COUNTY COURT/SMALL CLAIMS**

352-341-6424

SMALL CLAIMS OF \$100.00 OR LESS	\$55.00
SMALL CLAIMS OF \$101.00 BUT NOT MORE THAN \$500.00	\$80.00
SMALL CLAIMS OF \$501.00 BUT NOT MORE THAN \$2,500.00	\$175.00
SMALL CLAIMS OF \$2,501.00 BUT NOT MORE THAN \$8000.00	\$300.00
SMALL CLAIMS FOR REPLEVIN OF \$1,000 OR LESS	\$130.00
SMALL CLAIMS FOR REPLEVIN OF \$1,000.01 TO \$2,500	\$260.00
SMALL CLAIMS FOR REPLEVIN OF \$2,500.01 TO \$8,000	\$385.00
COUNTY CIVIL CLAIMS OF \$8,000 BUT NOT MORE THAN \$15,000	\$300.00
COUNTY CIVIL CLAIMS OF \$15,001 BUT NOT MORE THAN \$50,000	\$400.00
PREPARING SUMMONS – PER DEFENDANT	\$7.00
ISSUING SUMMONS – PER DEFENDANT	\$10.00
CERTIFIED MAIL PER DEFENDANT WITHIN THE STATE OF FL- CONTACT CLERK	
PROCESS SERVER FEE	WWW.CIRCUIT5.ORG
OUT-OF-COUNTY OR OUT-OF-STATE SHERIFF’S DEPT	CONTACT AGENCY
ADDITIONAL FEE FOR GARNISHMENT, ATTACHMENT, REPLEVIN, AND DISTRESS	\$85.00
WITNESS SUBPOENA PREPARED BY CLERK	\$7.00 PER PARTY
WITNESS SUBPOENA PREPARED BY PLAINTIFF	\$2.00 PER PARTY
WITNESS FEES	\$5.00 PER PARTY
	PLUS \$.06 PER MILE TRAVEL TO AND FROM
WRIT OF REPLEVIN	\$90.00
REOPENING A CASE OF \$500.00 OR LESS	\$25.00
REOPENING A CASE OF \$500.01 OR MORE APPEALS FROM COUNTY COURT TO CIRCUIT COURT ISSUING SUMMONS FEE	\$50.00 \$281.00
CROSS-CLAIM, COUNTERCLAIM, THIRD-PARTY COMPLAINT (GREATER THAN \$2,500)	\$295.00

**IN THE COUNTY COURT IN AND FOR CITRUS COUNTY
FIFTH JUDICIAL CIRCUIT OF FLORIDA**

CASE NO. _____

**YOUR NAME OR BUSINESS NAME
MAILING ADDRESS
CITY, STATE, ZIP
TELEPHONE NUMBER
EMAIL**

Plaintiff(s)

-vs-

**PERSON OR BUSINESS NAME
ADDRESS TO BE SERVED AND
MAILING ADDRESS IF DIFFERENT
CITY, STATE, ZIP
TELEPHONE NUMBER**

Defendant(s)

EXAMPLE

**STATEMENT OF CLAIM
(REPLEVIN)**

The plaintiff(s) sues defendant(s) and alleges:

This is an action to recover possession of personal property within the jurisdiction of this court the value of which does not exceed the amount of \$8000.00 exclusive of costs, interest and attorney's fees.

The description of the property is: LIST OF CLAIMED PROPERTY SUFFICIENT TO MAKE IDENTIFICATION POSSIBLE DO NOT INCLUDE COURT COSTS IN THE VALUE OF THE PROPERTY LISTED

That the true value of said property is the sum of \$; that said property has not been taken for any tax, assessment or fine levied by virtue of any law of the State of Florida, nor seized under execution or attachment against the goods and chattels of said plaintiff(s) liable to execution and that the above named defendant(s) has/have possession of the above described personal property and detains the same from plaintiff(s).

That said plaintiff(s) is the owner of said personal property and entitled to the possession thereof; that said defendant(s), wrongfully detains from said plaintiff(s) said personal property of the value as aforesaid; that said plaintiff(s) made demand upon said defendant(s) for possession of said personal property prior to the institution of this claim, yet said defendant(s) continues to wrongfully withhold possession thereof from said plaintiff(s).

WHEREFORE, plaintiff(s) demands judgment for possession of the property against defendant.

**STATE OF FLORIDA,
COUNTY OF CITRUS**

The undersigned being first duly sworn on oath, states the foregoing is a just and true statement. Affiant further states that the defendant(s) is/are not in the military service of the United States, and that the action has been brought in the county in which venue is proper, pursuant to Chapter 47, Florida Statutes.

AFFIANT

Subscribed and sworn before me this _____ day of _____, 20_____

By: _____

Deputy Clerk

CITRUS COUNTY
CLERK OF THE CIRCUIT COURT AND COMPTROLLER
110 N. Apopka Ave,
Inverness, Fl. 34450-4299
(352) 341-6424

Or: _____

Notary Public

**IN THE COUNTY COURT OF THE FIFTH JUDICIAL CIRCUIT
IN AND FOR CITRUS COUNTY, FLORIDA**

Case No. : _____

Plaintiff(s)

- V S -

Defendant(s)

STATEMENT OF CLAIM
(REPLEVIN)

The plaintiff(s) sues defendant(s) and alleges:

This is an action to recover possession of personal property within the jurisdiction of this court, the value of which does not exceed the amount of \$8,000.00 exclusive of costs, interest and attorney's fees.

The description of the property is:

That the true value of said property is the sum of \$_____ ; that said property has not been taken for any tax, assessment or fine levied by virtue of any law of the State of Florida, nor seized under execution or attachment against the goods and chattels of said plaintiff(s) liable to execution and that the above named defendant(s) has/have possession of the above described personal property and detains the same from plaintiff(s).

That said plaintiff(s) is/are the owner(s) of said personal property and entitled to the possession thereof; that said defendant(s), wrongfully detains from said plaintiff(s) said personal property of the value as aforesaid; that said plaintiff(s) made demand upon said defendant(s) for possession of said

personal property prior to the institution of this claim, yet said defendant(s) continues to wrongfully withhold possession thereof from said plaintiff(s).

WHEREFORE, plaintiff(s) demands judgment for possession of the property against defendant.

**STATE OF FLORIDA,
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brought in the county in which venue is proper, pursuant to Chapter 47, Florida Statutes.

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Subscribed and sworn before me this _____ day of _____, 20 _____

By: _____

Deputy Clerk

CITRUS COUNTY
CLERK OF THE CIRCUIT COURT AND COMPTROLLER
110 N. Apopka Ave,
Inverness, Fl. 34450-4299
(352) 341-6424

Or: _____

Notary Public

**IN THE COUNTY COURT IN AND FOR CITRUS COUNTY
FIFTH JUDICIAL CIRCUIT OF FLORIDA**

Plaintiff(s)

Case No: _____

-VS-

Defendant(s)

STATEMENT OF RESPONSIBILITY
(Civil Case \$8,000.00 or less)

Before filing this case I have considered the following matters and acknowledge that:

1. This case is being filed in the County Court under the Summary Procedure Rules of Court; that it is considered a layman's court; that I, and the defendant, may be represented by an attorney of our individual choice but neither is required to do so, and that the conduct of this case will be in accordance with the rules of procedure and laws of Florida which apply to this case.
2. The naming of proper parties is an important element of the case and the responsibility for naming the proper plaintiff(s) and defendant(s) in this case is mine.
3. I am responsible for the furnishing of a correct address or location at which the defendant(s) can be served or given notice of this suit.
4. I assume responsibility as to my right to file this case for myself or for the named plaintiff(s).
5. I do not expect the Clerk, who received and files this claim, to give me legal advice as to how to prosecute this case and acknowledge that the Clerk is not acting as my attorney or legal advisor.
6. I am solely responsible for the collection of any judgment entered in my favor.

Date

Signature

**IN THE COUNTY COURT IN AND FOR CITRUS COUNTY
FIFTH JUDICIAL CIRCUIT OF FLORIDA**

CASE NO: _____

Plaintiff(s),

-VS-

Defendant(s)

DESIGNATION OF E-MAIL ADDRESS FOR A PARTY NOT REPRESENTED BY AN
ATTORNEY

Pursuant to Fla. R. Gen. Prac. & Jud. Admin. 2.5 16(b) (1) (C),
_____ designate the e-mail address(es) below for
electronic service of all documents related to this case.

By completing this form, I am authorizing the Court, Clerk of Court, and all parties to send copies of notices, orders, judgments, motions, pleadings, or other written communications to me by email or through the Florida Courts E-filing **Portal**.

I understand that I must keep the Clerk's office and the opposing party or parties notified of my current e-mail address(es) and that all copies of notices, orders, judgments, motions, pleadings, or other written communications in this case will be served at the e-mail address(es) on record at the Clerk's office.

Designated e-mail address: _____

Secondary designated e-mail address (if any): _____

CERTIFICATE OF SERVICE

I CERTIFY that a copy hereof has been provided to the Clerk of Court for Citrus County, and [check all used] () e-mailed () mailed () hand delivered, a copy to *{name}*
_____ who is a party to the related case on *{date}*

Dated: _____

Signature of Petitioner: _____

Printed Name: _____

E-Mail address: _____

**INSTRUCTIONS FOR ATTORNEYS
COMPLETING FINAL
DISPOSITION FORM**

I. Case Style. Enter the name of the court, the appropriate case number assigned at the time of filing of the original complaint or petition, the name of the judge assigned to the case and the names (last, first, middle initial) of plaintiff(s) and defendant(s).

II. Amount of Final Judgment. Enter the amount as recorded in the final judgment.

III. Means of Final Disposition. Place an "x" in the appropriate major category box and in the appropriate subcategory box, if applicable. The following are the definitions of the disposition categories.

(A) Dismissed Before Hearing - the case is settled, voluntarily dismissed, or otherwise disposed of before a hearing is held;

(B) Dismissed Pursuant to Settlement - Before Hearing - the case is voluntarily dismissed by the plaintiff after a settlement is reached without mediation before a hearing is held;

(C) Dismissal Pursuant to Mediated Settlement - Before Hearing - the case is voluntarily dismissed by the plaintiff after a settlement is reached with mediation before a hearing is held;

(D) Other - Before Hearing - the case is dismissed before hearing in an action that does not fall into one of the other disposition categories listed on this form;

(E) Dismissed After Hearing - the case is dismissed by a judge, voluntarily dismissed, or settled after a hearing is held;

(F) Dismissal Pursuant to Settlement - After Hearing the case is voluntarily dismissed by the plaintiff after a settlement is reach without mediation after a hearing is held;

(G) Dismissal Pursuant to Mediated Settlement - After Hearing - the case is voluntarily dismissed by the plaintiff after a settlement is reach with mediation after a hearing is held;

(H) Other - After Hearing - the case is dismissed after hearing in an action that does not fall into one of the other disposition categories listed on this form;

(I) Disposed by Default - a defendant chooses not to or fails to contest the plaintiffs allegations and a judgment against the defendant is entered by the court;

(J) Disposed by Judge - a judgment or disposition is reached by the judge in a case that is not dismissed and in which no trial has been held. Includes stipulations by the parties. conditional judgments, summary judgment after hearing and any matter in which a judgment is entered excluding cases disposed of by default as in category (I) above;

(K) Disposed by Non-Jury Trial - the case is disposed as a result of a contested trial in which there is no jury and in which the judge determines both the issues of fact and law in the case;

(L) Disposed by Jury Trial - the case is disposed as a result of a jury trial (consider the beginning of a jury trial to be when the jurors and alternates are selected and sworn);

(M) Other - the case is consolidated, submitted to arbitration or mediation, transferred, or otherwise disposed of by other means not listed in categories (A) through (L).

DATE AND ATTORNEY SIGNATURE. Date and sign the final disposition form.

FORM 1.998. FINAL DISPOSITION FORM

This form shall be filed by the prevailing party with the Clerk of Court for the purpose of reporting uniform case data pursuant to Florida Statutes section 25.075. (See instructions on the reverse of the form.)

I. CASE STYLE

(Name of court) _____

Plaintiff _____

Case # _____
Judge _____

Vs.

Defendant _____

II. AMOUNT OF FINAL JUDGMENT

Please indicate the amount of the final judgment, rounded to the nearest dollar. \$ _____

III. MEANS OF FINAL DISPOSITION (Place an "x" in one box for major category and one subcategory, if applicable, only)

- _____ Dismissed Before Hearing
- _____ Dismissed Pursuant to Settlement—Before Hearing
- _____ Dismissed Pursuant to Mediated Settlement—Before Hearing
- _____ Other—Before Hearing
- _____ Dismissed After Hearing
- _____ Dismissed Pursuant to Settlement—After Hearing
- _____ Dismissed Pursuant to Mediated Settlement—After Hearing
- _____ Other After Hearing—After Hearing
- _____ Disposed by Default
- _____ Disposed by Judge
- _____ Disposed by Non-jury Trial
- _____ Disposed by Jury Trial
- _____ Other

DATE _____

SIGNATURE OF ATTORNEY FOR PREVAILING