

1. Check your e-mail frequently.

Once you e-file, you will receive an email for each document submitted. A clerk will review each document and email the result:

- A. **If your filing is accepted**, download your e-filed forms from the emails within 30 days.
- B. **If your e-filing is returned (rejected)**, an explanation will be included in the email.
 - Return to Guide & File, go to “My Interviews” and start a copy of your interview. Correct your answers and submit the e-filing again.

If you want to keep the original filing date, resubmit within 3 business days and contact the court to request it.

2. Serve each Defendant.

Have someone else give each Defendant a copy of:

- Summons*,
- Claim*,
- (Ada County only) *Affidavit of Competence and Non-Military Service*,
- Information for Defendant*, and
- Answer* (blank).

How can I serve the forms?

- Pay the county Sheriff or Marshal,
 - Pay a professional process server,
 - Ask a person 18 years old or older who is not involved in the case, or
 - Pay the clerk (for certified mail).
- Have your server fill out and sign an *Affidavit of Service* for each Defendant.
 - To e-file the *Affidavit of Service* form(s), return to Guide & File and choose **Affidavit of Service or Default**.

For more information, see [How to Serve Your Small Claims Papers](#).

3. Check your e-mail.

- A. **If the Defendant files an Answer within 21 days**, the clerk will schedule your case for a contested claim hearing and send you and the Defendant a *Notice* with the date and time of the trial.
- B. **If the Defendant does not file an Answer within 21 days**, either the clerk will send you a *Notice* with the date and time of your trial, or you may need to file an *Affidavit for Default*.
 - To e-file, return to Guide & File and choose **Affidavit of Service or Default**.
 - Send a copy of the forms you file to all parties.

A judge will review your claim and evidence to determine whether a trial is necessary or whether you have provided enough proof and required information to win your case.

If you win your case, the clerk will send or give you a copy of the *Default Judgment* so that you can collect any money and property you were awarded.

If a trial is scheduled:

4. File any requests, if needed, before the trial.

You can dismiss the case, request to reschedule the trial, or request a phone hearing.

- To e-file, return to Guide & File and choose **Reschedule, Dismiss, Change Venue, Request Phone Hearing**.

For a Dismissal: The court clerk will send you a copy of the filed *Dismissal*.

- Send a copy of the filed *Dismissal* you receive back from the clerk to all parties.

For a Request: The Judge's decision on your request will be in the *Order* form. If you do not hear back before your trial date, or if your request is denied, you will need to attend your hearing as scheduled.

- Send a copy of the forms you file to all parties.

5. Go to court for the trial.

Bring any evidence you have with you to prove your case. For example:

- Contracts or other documents
- Receipts or cancelled checks
- Invoices or statements
- Photos

You can also bring witnesses or statements signed by expert witnesses.

For more information, see [Get Ready for Your Small Claims Trial – Plaintiff](#).

If you win:

6. Collect on your *Judgment*.

See [How to Collect Your Small Claims Judgment](#) for collection options and detailed instructions.

- To e-file, return to Guide & File and choose **Enforce the Judgment**.

7. File the *Satisfaction*.

Once the Defendant has paid any amount and returned any personal property listed in the *Judgment*, file the *Satisfaction of Judgment*.

- To e-file, return to Guide & File and choose ***Satisfaction of Judgment***.
- Send a copy of the forms you file to all parties.

If you do not agree with the court's decision:

You can appeal the *Judgment*. The *Appeal* must be filed at the court **within 30 days** of the judgment date.

- To e-file, return to Guide & File and choose ***Appeal***.

- Send a copy of the forms you file to all parties.

The clerk will send you a *Notice* with your new hearing date and time with a different judge. At the hearing, the case will be treated like a new case. You will need to bring your evidence to prove your case again.

The new hearing is more formal: you and the other party can have lawyers and the rules of civil procedure and evidence apply. If you have questions, talk with a lawyer.

If your case was dismissed:

If you had a good reason why you could not attend the hearing, you can ask the court to set aside the dismissal and schedule a hearing.

- To e-file, return to Guide & File and choose **Set Aside Default/Dismissal**.
- Send a copy of the forms you file to all parties.

The judge will review your *Motion to Set Aside Dismissal*.

- A. If the judge denies your motion**, the clerk will send you the *Order* form with the box checked that says the motion was denied.
- B. If the judge grants your motion**, the clerk will send you an *Order* and a *Notice* with your new hearing date and time. Be sure to bring any evidence to prove your case.
- C. If the judge schedules a hearing** on your motion, the clerk will send you a *Notice* with the date and time of the hearing. At the hearing, if the judge decides that you had a good reason, your motion will be granted and the judge will immediately start the hearing for your case. Be sure to bring any evidence to prove your case.

For additional information on what to expect in court see [Get Ready for Your Small Claims Trial – Plaintiff](#).