A Quick Guide to **SMALL CLAIMS** Cases

The following contains **general** information about small claims cases in New Hampshire. Other requirements, options, and deadlines may apply in your specific case.

What to know before you start your small claims case:

- Small claims cases deal with amounts of $10,000 or less. If someone owes you $10,000 or less, or has caused damage of $10,000 or less, you can file a small claims case.

- If you are filing a claim for more than $5,000, mediation (a process of reaching an agreement without a judge's ruling) is mandatory.

- Small claims cases are for money only. They are not for the return of actual property.

TO START YOUR CASE

1 **TRY TO SETTLE YOUR CLAIM**
The plaintiff (the person starting the case) can ask the person who owes the money to pay. This is often simpler and less costly than going to court.

2 **FILE YOUR PAPERS**
If the person who owes the money will not pay, you can start a case by filing papers in court. This includes a Small Claims Complaint and other papers. For small claims cases, *you must file papers electronically*.

AFTER YOU FILE

The court will mail the defendant (the person who the claim is against) a copy of the Complaint. The defendant may pay you or dispute the claim and ask for a hearing.

If the defendant asks for a hearing, the court will first schedule a Pretrial Hearing. At the Pretrial Hearing, you will have the opportunity to mediate your case. (Mediation is mandatory if the claim is $5,000 or more.) If you and the other party reach an agreement, the case will be closed.

If mediation is not successful, the court will schedule a Hearing on the Merits. You and the other party will each present your case to the judge. (Bring all documents and witnesses on this day.) The judge will listen to both sides and make a decision.

If the court orders the defendant to pay, the case will move to the collection process. (Note: If the defendant does not respond or does not appear in court, the court may also rule in your favor.)

More Information

To learn more about the small claims process in New Hampshire, go to **https://www.courts.nh.gov/our-courts/circuit-court/district-division/small-claims**.