

## 1. FIRST STEP: SEND A DEMAND LETTER

Mail a demand for payment letter via Certified Mail. The court requires that this be done prior to filing your Small Claims case. The letter must state 1) amount owed, 2) what the amount owed is for and 3) if after ten (10) days there has been no response to the demand letter, a Small Claims case can be filed. Please contact LPS for assistance with filing your Small Claims case.

## 2. SECOND STEP: LEGAL ACTION & COURT FEES

Upon completion of the Small Claims documents, filing fees must be tendered to the Justice Court of jurisdiction. Filing fees are determinant on the amount of the suit. See the table below for a fee breakdown.

Small Claims Filing Fees - Clark County, Nevada (Including Las Vegas, North Las Vegas and Henderson)	Court Filing Fees:
If the sum claimed does not exceed: \$1,000.00	<b>\$ 46.00</b>
If the sum claimed exceeds \$1,000.01 but does not exceed \$2,500.00	<b>\$ 66.00</b>
If the sum claimed exceeds \$2,500.01 but does not exceed \$5,000.00	<b>\$ 86.00</b>
If the sum claimed exceeds \$5,000.01 but does not exceed \$7,500.00	<b>\$146.00</b>

## 3. THIRD STEP: WHAT TO DO AFTER FILING

### FOR LAS VEGAS JUSTICE COURT ONLY:

Once the case has been filed, the Defendant must be served with a copy of the Small Claims Complaint. For cases filed in the Las Vegas Justice Court, a Small Claims Answer and Instructions to Defendant must accompany the Complaint. The Defendant has twenty (20) calendar days from the day of service, to respond by filing an answer with the court and mailing a copy to the Plaintiff.

A) If the Defendant **does** file an answer, a Mediation will be scheduled. The court will notify all parties of the hearing date and time via mail. In the event parties cannot come to an agreement at the Mediation Hearing, a court date will be assigned and the case will be heard before a judge.

B) If Defendant **does not** file an answer within twenty (20) calendar days of being served, Plaintiff may submit a Motion for Default Judgment to the court. Please contact LPS Small Claims Specialists for assistance with document preparation and filing of the Motion for Default Judgment.

### FOR NORTH LAS VEGAS & HENDERSON JUSTICE COURT ONLY:

Once Complaint has been filed, the case will be assigned a hearing date. The Defendant must be served with a copy of the Complaint within ten (10) calendar days of the hearing. Service may be effected at either residence or place of employment/business. If Defendant is served at place of employment/business, personal service is required. Once the Defendant has been served, the Affidavit of Service must be filed with the court in a timely manner so as to confirm your case on calendar. A decision will be rendered by the court at the hearing.

## 4. FOURTH STEP: FINALIZING THE JUDGMENT

If Plaintiff obtains judgment against the Defendant, they may then file a Writ of Execution to either:

- 1) Garnish Wages
- 2) Lien Property (e.g. home)
- 3) Levy Bank Account (must know bank account number)
- 4) Levy Cash Drawer (if Defendant is a business).

### LPS SMALL CLAIMS SPECIALISTS

LPS Small Claims Specialists are trained and ready to assist you with the Small Claims process. Upon your instruction, LPS staff will complete all documentation oversee the filing and service of process and will be sure to file affidavits when completed. All you need to do is show up for the hearing. Additionally, LPS Staff can assist you with Writs of Garnishment and Property Liens after judgment.