

**IMPORTANT – READ CAREFULLY BEFORE FILLING OUT FORMS**

**The Deputy Clerks do not have the authority to give legal advice. If you have legal questions, you must consult an attorney.**

1. The jurisdictional limit of civil claims in Magistrate Court is \$15,000.00.
2. If your claim is for more than \$15,000.00, you cannot voluntarily reduce the amount sued for, or sue for only part of the amount to bring your case into the Magistrate Court.
3. Civil Suits and Dispossessory actions must be filed in the county where the DEFENDANT resides. Garnishments are filed where the DEFENDANT is employed and you must have a judgment against the person (DEFENDANT) on whom you are filing the garnishment.
4. Plaintiff must use the court forms (if you obtain your forms from the internet, make sure they are printed front & back when filed in the court). Please type or print legibly. Plaintiff must provide a contact telephone number. In **civil claims**, an original and 1 copy must be provided for each defendant. In **dispossessory actions**, an original with an attached copy of the lease and 2 copies (complete with lease) per defendant must be provided. If you are granted a writ of possession, the writ must be paid for prior to the service of that writ. In **garnishments**, an affidavit, copy of judgment, 3 summons, and 7 answer forms must be provided. All forms must be sworn to and signed before a Deputy Clerk or a Notary Public.
5. The DEFENDANT'S complete and accurate residence address should be included on the form so that he or she may be served. POST OFFICE BOXES WILL NOT BE ACCEPTED. For garnishments, the complete name and address of the place of business for the defendant's employer, as well as an address for the defendant, must be provided.
6. Once the defendant(s) or garnishee (employer) is/are served, you will receive a yellow Marshal's Entry of Service letting you know the date of service. Defendant/garnishee has forty-five (45) days to file an answer. On Dispossessory actions, the defendant has seven (7) days from date of service to file an answer. **\*\*PLEASE NOTE: A MARSHAL'S ENTRY OF SERVICE WILL NOT BE SENT ON DISPOSSESSORY ACTIONS\*\***
7. If the defendant files an answer, a copy will be sent to you. If the defendant is denying the claim, the court will automatically set the case for a hearing and a hearing notice will be sent to you approximately two (2) weeks prior to your court date. **If the defendant admits to the claim**, you may wish to request a judgment on the pleadings. All requests for judgments on the pleadings must be in writing (faxes are not accepted). Once a written request for a judgment on the pleadings is received, a hearing will be scheduled and you will receive a notice of hearing approximately two (2) weeks prior to your court date.
8. When you receive a hearing notice, you may subpoena witnesses. The cost for these subpoenas will be the responsibility of the person who is making the request (\$10.00 if you serve the subpoena and \$60.00 if the marshals serve it). At the time of the trial, both parties should bring all documents, writings, and receipts which they feel pertain to their case. AFFIDAVITS, LETTERS AND ESTIMATES ARE GENERALLY NOT ACCEPTED.
9. The cost for filing small claims suits in the court are as follows:  
**ONE (1) DEFENDANT.....\$97.00 TWO (2) DEFENDANTS.....\$147.00**
10. This office **will not** notify you if payments are received. A check will be disbursed the following month after payments have been received the prior month. Checks are generally mailed out around the 15<sup>th</sup> of the m
11. **All forms must be filled out completely (front and back) before they will be accepted and filed.**
12. **If you call Columbia County Magistrate Court with any questions concerning your case, please provide the clerk with a case number. Your case number is provided on the Marshal's Entry of Service form and on your receipt you received at the time of filing. Please do not call Magistrate Court prior to defendant's expiration time for the filing of an answer.**
13. **COLUMBIA COUNTY MAGISTRATE COURT DAYTIME PHONE NUMBER: 706-868-3316.**

**\*\*PLEASE NOTE: IT IS THE PLAINTIFF'S RESPONSIBILITY TO INFORM THE COURT IF THE CASE HAS BEEN RESOLVED AND OF ANY CHANGE OF ADDRESS AND/OR TELEPHONE NUMBER. THE COURT WILL ONLY MAIL CORRESPONDENCE TO THE LAST KNOWN ADDRESS.\*\***