

NOTICE TO PERSON FILING SMALL CLAIMS

In Circuit Court, persons may file cases and appear in Small Claims matters as follows:

INDIVIDUALS: In their own behalf

BUSINESS PARTNERSHIPS: Any partner or authorized employee

UNINCORPORATED BUSINESSES: Owner or authorized employee

GOVERNMENTAL ENTITIES: Authorized employee

ESTATES: Executor/Administrator or personal representative

CHILDREN: Minors over fourteen years of age and under nineteen years of age may sue by a next friend (a person at least nineteen years of age) selected by the child before the suit is commenced. The next friend is liable for any costs chargeable to the child as plaintiff

When a child is sued, he shall appear by guardian nominated by him and appointed by the Court (usually a parent). However, a judgment may be against the minor defendant only.

SPOUSES: Husband and wife may NOT represent one another.

Even though Small Claims Court is primarily for the benefit of persons who elect not to be represented by an attorney, all persons and entities involved in Small Claims actions have the right to appear with or through an attorney. If at the time of trial, the other party appears with or through an attorney, you may request a continuance for the purpose of obtaining your own attorney.

In order to file the case in Sweetwater County, the defendant must either reside, be employed or have a place of business in Sweetwater County.

If the claim is for someone living in Rock Springs, the claim form for filing must come from the Rock Springs Division of the Circuit Court and after completed either mailed or taken to Circuit Court, PO Box 20228, 731 "C" St, Rock Springs, WY 82902.

When filing Small Claims, the forms provided are for claims in the amount of \$6000.00 or less. Anything above \$6000.00 needs to be pursued through an attorney pursuant to the general civil jurisdiction of the Court.

There is a \$10.00 filing fee (no personal checks can be accepted) which must accompany each claim. There will also be a fee of \$35.00 prepaid by you to the Sheriff's office or private processor for each summons served. There must be an individual summons for each person listed as Defendant on your Small Claims Affidavit.

MAKE CERTAIN THAT AT THE TIME OF YOUR TRIAL, YOU BRING WITH YOU TO COURT ANY AND ALL DOCUMENTS, EVIDENCE AND WITNESSES TO SUPPORT YOUR CLAIM. In the event you fail to appear for Court at the appointed time for trial, judgment will be rendered in favor of the Defendant, which means you will recover nothing as result of the suit and you will bear your own costs of filing.

The Court encourages the parties in Small Claims matters to seek an amicable settlement before the case reaches the courtroom. You should make every effort to compromise your differences. In the event this is achieved, the Court must be so informed. If you are unable to reach a settlement and the case must be tried, **YOU MUST PROVIDE A COPY OF ALL YOUR PROPOSED EXHIBITS TO THE COURT AND THE OPPOSING PARTY BEFORE ENTERING THE COURTROOM.**