

Small Claims Court: FAQ's

Representation of Parties

General Rule: _____.

Common exceptions: _____

Common errors: _____

Coercive Orders

General Rule: _____

Example: _____

Spouse's Liability

Is a spouse obligated to pay for necessary medical treatment provided to the other spouse absent a contractual agreement to do so? _____

Essential elements of claim:

1. _____
2. _____
3. _____
4. _____

Exception: _____

Damages: Pain & Suffering

General Rule: _____

Exception: _____

Test Your Small Claims Superpowers!

Paula Plaintiff has filed an action for money owed, listing two defendants. In the first box Paula has printed "Danny Defendant". In the second box, Paula has printed "Danny's Delicacies".

Challenge #1: What important action do you take before beginning to hear the evidence?

Alternative #1: (_____). What is your next action? _____

Alternative #2: (_____). What is your next action? _____

Paula testifies that she entered into a contract with defendant to cater her wedding reception, paying \$3000 in advance. The defendant failed to provide the services (Danny admits he inadvertently double-booked and apologizes for the mix-up.) Paula is seeking \$5000 in damages: a \$3000 refund, \$1000 for the pizza they had to order at the last minute when Danny didn't show up, and \$1000 in pain and suffering and emotional distress for ruining Paula's Perfect Day. Danny is happy to refund the money, but has refused to pay additional damages.

At trial, Paula provides a receipt showing the actual cost of the pizza was \$1200.

Do you award damages for the pizza? _____ If so, how much? \$_____

Do you award damages for pain & suffering & emotional distress? _____ If so, how much? \$_____