

**IN THE CIRCUIT COURT OF THE STATE OF OREGON  
FOR THE COUNTY OF CURRY  
SMALL CLAIMS**

**CASE No.** \_\_\_\_\_

_____ )		<b>CLAIM &amp; NOTICE OF CLAIM</b>
_____ )		_____
_____ )		_____
<b>Plaintiff (s),</b> )		<b>Plaintiff's address &amp; phone number</b>
<b>vs.</b> )		_____
_____ )		_____
_____ )		_____
_____ )		_____
<b>Defendants</b> )		<b>Defendant's address &amp; phone number</b>

I, the Plaintiff (s), claim that on or about \_\_\_\_\_ (date) the above-named defendant (s) of \_\_\_\_\_ County, \_\_\_\_\_ (state), owes me the sum of \$ \_\_\_\_\_, and this sum is still owing for:

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_.

State of Oregon        )  
County of Curry       )

I, the above-named Plaintiff, having been duly sworn, state that I have read the above claim and that it is true as I verily believe, I further certify that I have made a bona fide effort to collect this claim from the defendant, prior to filing.

**(Notary seal area below)**

Signed: \_\_\_\_\_

& \_\_\_\_\_

Dated: \_\_\_\_\_ Court Clerk/Notary:

Subscribed and sworn before me,        by: \_\_\_\_\_

I certify that the foregoing is a true copy of the claim and notice of claim filed in Curry County:  
By: \_\_\_\_\_

Costs paid:    Small claim filing fee \$ \_\_\_\_\_        Service fee \$ \_\_\_\_\_

**FILING FEE FOR CLAIMS \$2,500.00 & under: \*\*\$50.00 \*\*PLUS .25¢ PER PAGE FOR COPIES  
FILING FEE FOR CLAIMS \$2,501.00-\$10,000.00: \*\* \$90.00 \*\*PLUS .25¢ PER PAGE FOR COPIES**

**Attention defendants: You must read the notice:**

**NOTICE TO DEFENDANT: *read carefully***

Within 14 days after receiving notice, you must do one of the following:

1. Pay the claim plus court costs. (See below 'if you admit claim').
2. Deny the claim and demand a hearing. (See A below).
3. Deny the claim, demand a hearing, and file a counterclaim. (See B below).
4. Deny the claim and demand a Jury Trial. (See C Below).

**If you fail to do one of the above within 14 days after receiving this notice, the Clerk may enter a judgment against you for the amount claimed, plus service fees, court costs, and prevailing party fees.**

**IF YOU ADMIT THE CLAIM:**

**State law provides that within 14 days of service of this notice, the claim may be settled by paying the amount claimed, plus filing and service fees to the plaintiff (s).** A return of property is only applicable when the claim states a demand for return of property.

**IF YOU DENY THE CLAIM:**

- A. You may demand a hearing in the small claims department** by filing an answer and paying the defendant's first appearance fee within 14 days. The filing fee is \$50.00 for claims less than \$2,500.00 and \$90.00 if the claim is \$2,501.00-\$10,000.00. A hearing date and time will be set and parties notified by mail. You must provide your mailing address on the answer form. The hearing will be informal. Both the plaintiff and defendant may offer testimony, bring witnesses and other evidence pertinent to the issue. No attorney at law or person other than you, the plaintiff and witnesses may participate without the consent of the Judge.
- B. You may demand a hearing and file a counterclaim.** You must sign the form in the presence of a Notary Public or Clerk of the Court. Counterclaims filed in excess of \$10,000.00 must be transferred to the Circuit Court. Forms are **NOT** available from the court. Your counterclaim must pertain to the same matter as the plaintiff's claim. You must provide your mailing address on the answer form. A notice of the time set for hearing will be mailed to you and the plaintiff, and the plaintiff will receive a copy of your counterclaim. You will be required to pay the difference in the filing fee, plus the transfer fee.
- C. If the claimed amount exceeds \$750.00, a jury trial may be demanded** upon payment of the defendant's first appearance fee and transfer fee of \$150.00. If a jury trial is requested, a formal complaint will have to be filed in Circuit Court, by the plaintiff, with the appropriate filing fees. The case will then be referred to MANDATORY ARBITRATION.

**THERE IS NO APPEAL IN SMALL CLAIMS: THE JUDGMENT IS FINAL**

If you have further questions concerning this notice, contact the Small Claims Department as indicated below. **Court Clerks are not allowed to give legal advice, but can answer procedural questions.** If you need legal advice you should see an attorney. If you need help in finding an attorney, you can call the Oregon State Bar's Lawyer Referral Services at (503) 684-3763 or toll-free in Oregon at (800) 452-7636 or online at [www.osbar.org](http://www.osbar.org).

STATE COURT  
SMALL CLAIMS DEPARTMENT  
P.O. BOX 810  
GOLD BEACH, OREGON 97444  
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