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Small Claims Court Filing Kit

File it yourself. Settle smart. Collect what you're owed.

The complete DIY guide — with an AI assistant in your corner.

50-State Reference

Demand & Settlement

Fillable Court Forms

Courtroom Strategy

Informational only — not legal advice. You review, you sign, you file. Verify all figures with your court.

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START HERE

Read this guide once end-to-end, then open QUICKSTART.md to set up your AI assistant. Your assistant's very first task: confirm your state's current limit, filing fee, and statute of limitations from the official court website.

1. Is Small Claims Right for You?

Small claims court is the people's court. It was built so ordinary people can resolve money disputes quickly and cheaply, without hiring a lawyer. Cases are simple, informal, and usually heard within a couple of months. In most states the filing fee is well under \$100, and in many courts lawyers aren't even allowed at the hearing — it's just you, the other side, and a judge.

What small claims can do

- Award you money — unpaid debts, security deposits, bad contractor work, property damage, defective goods, unpaid wages, minor car accidents.
- Give you a fast, low-cost hearing where you represent yourself.
- Produce an enforceable judgment you can then collect.

What small claims usually cannot do

- Order someone to DO something (an injunction) or undo a deal — it awards money, not orders.
- Handle amounts over your state's limit (see Chapter 8).
- Resolve divorce, custody, evictions, bankruptcy, or claims against the federal government.

THE LIMIT IS THE FIRST QUESTION

Every state caps what you can sue for in small claims — from \$2,500 (Kentucky) to \$25,000 (Tennessee, Delaware). If your claim is over the cap you can usually waive the excess and sue for the max, or file in regular civil court. Confirm YOUR state's number before anything else.

The three questions to answer first

1. Is my claim within the limit? If not, will I waive the excess or go to civil court?
2. Is it within the statute of limitations? Every claim has a deadline to sue (Chapter 8). Miss it and the case is dead, no matter how strong.
3. Can I actually collect if I win? A judgment against someone with no job and no assets can be hard to collect. Follow the money before you spend time and fees.

2. Before You File: Damages, Demand & Settlement

Most disputes are won before a case is ever filed. The work you do here decides whether you get paid in two weeks with a letter — or two months after a hearing.

Step 1 — Calculate your damages precisely

A judge wants a number you can defend line by line. Use the Damages Worksheet (in the forms folder). Add up the principal you're owed, the cost to repair or replace, your filing and service fees (usually recoverable if you win), and interest if your state or contract allows it. Document every line with an exhibit.

Step 2 — Send a demand letter

A written demand often gets you paid without filing, builds your "I acted in good faith" record, and is required before filing in some states. Keep it businesslike, specific, and deadline-driven. Send it by certified mail, return receipt requested, and keep the receipt — it becomes an exhibit.

USE THE TEMPLATES

The forms folder has a fillable demand-letter.pdf, and SMALL-CLAIMS-DEMAND-LETTER.md has three ready-to-adapt versions (general, security deposit, final demand) plus the full settlement playbook.

Step 3 — Negotiate from strength

Decide three numbers before you talk: your ask (full claim), your target (what you'd happily accept), and your walk-away floor (below which you'd rather see a judge). Anchor high, concede slowly, and never threaten — simply inform the other side you're prepared to file. The courthouse is your leverage; let the facts do the work.

- Always get a settlement in writing and signed — a verbal deal is worth nothing.
- For installment deals, keep the right to pursue the full original amount if they default.
- If a case is already filed, dismiss it only AFTER payment clears.

3. Filing Your Case

1. Confirm the right court. You generally file where the defendant lives or does business, or where the dispute happened. Check your court's rules.
2. Get the correct form. Most courts have an official "Statement of Claim" or "Plaintiff's Claim." Use theirs if provided; the kit's statement-of-claim.pdf is a generic backup and a drafting aid.
3. State your claim clearly. Who owes you, how much, and why — in plain facts with dates. Show how you calculated the amount.
4. Pay the filing fee (often \$30–\$100). If you can't afford it, file the fee-waiver-request — courts waive fees for low-income filers.
5. Get your hearing date and case number. Write them down and calendar every deadline.

NAME THE DEFENDANT EXACTLY RIGHT

Suing a business? Use its exact legal name and, if it's an LLC or corporation, the registered agent for service. The wrong name can void a judgment. Your state's Secretary of State business search will give you the legal name and agent — your AI can walk you through it.

4. Serving the Defendant

After you file, the law requires the defendant to be formally notified — "served." Get this wrong and your hearing gets postponed or your case dismissed. The rules are strict and vary by state.

- You usually cannot serve the papers yourself. Service is done by the sheriff/marshal, a registered process server, or certified mail through the court — depending on your state.
 - Personal service (handed directly to the defendant) is the gold standard and hardest to challenge.
 - Certified mail is cheaper but the defendant may refuse it — have a backup plan.
 - Serve well before your hearing. States require a minimum number of days' notice.
1. Choose your method based on what your court allows.
 2. Complete service within your court's deadline.
 3. File the Proof of Service (kit form: proof-of-service.pdf) with the court. No proof on file = no valid service.

NO PROOF, NO CASE

If you can't show the court that the defendant was properly served, the judge cannot hear your case that day. Filing the proof of service is not optional paperwork — it is what makes your hearing happen.

5. Building Your Evidence

Small claims cases are won on organization, not eloquence. A clean, numbered evidence packet tells the judge you're credible before you say a word.

- Number every exhibit (Exhibit 1, 2, 3...) and write one sentence on what each proves. Use the exhibit-index.pdf as your cover page.
- Organize chronologically — tell the story in order.
- Bring THREE copies of everything: one for you, one for the judge, one for the defendant.
- Print clearly. Tiny phone screenshots and blurry photos hurt you. Print texts with dates and phone numbers visible.
- Redact sensitive data — full account and Social Security numbers. Court files can become public.

The strongest evidence, ranked

1. Signed contracts and written agreements.
2. Financial records — receipts, invoices, bank transfers showing what was paid.
3. Texts and emails where the other side admits facts.
4. Photos and video, clearly dated.
5. Your certified-mail demand letter and receipt.

FIND YOUR WEAK SPOT FIRST

Ask your AI: "What will the defendant argue, and where is my case weakest?" Then prepare the rebuttal with an exhibit. Judges respect a litigant who has clearly thought about both sides.

6. Courtroom Preparation & Hearing Day

You will likely have two minutes to explain your case. Make them count. Prepare a tight opening, know your exhibits cold, and stay calm and factual.

Your opening statement (1–2 minutes)

"Your Honor, my name is [NAME]. [DEFENDANT] owes me \$[AMOUNT] for [REASON]. On [DATE], [KEY FACTS]. I tried to resolve this by [DEMAND LETTER/CALLS]. I have [N] exhibits documenting this, and I'm asking for \$[AMOUNT]." See SMALL-CLAIMS-COURTPREP.md for full templates.

Hearing-day rules

- Arrive 30 minutes early. Dress business-casual at minimum.
- Address the judge as "Your Honor." Never argue with the defendant directly — speak to the judge.
- Refer to exhibits by number. Let the evidence talk.
- Stay calm. Don't interrupt. Don't get emotional. Stick to the facts and the money.

IF THE DEFENDANT DOESN'T SHOW

You'll likely get a default judgment. The judge may ask a few questions and rule in your favor. Bring your full evidence packet anyway — be ready to prove your number.

7. After the Hearing: Collecting Your Judgment

Winning is only half the job. The court does not collect the money for you. A judgment is a legal IOU — it gives you tools to collect if the defendant won't pay voluntarily.

- Ask first. Many defendants pay once the judgment is entered. Send a polite written request with payment instructions and a deadline.
- Wage garnishment — have a portion of their paycheck redirected to you (limits apply).
- Bank levy — collect directly from their bank account.
- Property lien — attach the debt to real estate they own; you get paid when they sell or refinance.
- Debtor's exam — the court can order the defendant to disclose income and assets under oath.
- Post-judgment interest accrues automatically in most states — your AI can calculate it.

IF YOU LOSE

You may be able to appeal — usually within a short window (often 30 days). Weigh whether the amount justifies it. Check your state's rule promptly; the deadline is unforgiving.

8. 50-State Quick Reference

Limits and statutes of limitation for all 50 states plus D.C. An asterisk (*) flags a figure where sources disagree or a separate small-claims division has a lower cap — verify those especially. Full statutory citations are in SMALL-CLAIMS-STATE-REFERENCE.md.

THESE ARE STARTING POINTS, NOT GOSPEL

Limits, fees, and deadlines change and vary by court. Your AI assistant's first task on any case: confirm your state's current numbers from the official court website and report the source.

STATE	SMALL CLAIMS LIMIT (2026)	WRITTEN-CONTRACT SOL
Alabama	\$6,000	6 yrs
Alaska	\$10,000	3 yrs
Arizona	\$3,500*	6 yrs
Arkansas	\$5,000	5 yrs
California	\$12,500 / \$6,250 biz	4 yrs
Colorado	\$7,500	3 yrs (6 debt)
Connecticut	\$5,000	6 yrs
Delaware	\$25,000	3 yrs
D.C.	\$10,000	3 yrs
Florida	\$8,000	5 yrs
Georgia	\$15,000	6 yrs
Hawaii	\$5,000	6 yrs
Idaho	\$5,000	5 yrs
Illinois	\$10,000	10 yrs
Indiana	\$6,000-\$10,000*	10 yrs
Iowa	\$6,500	10 yrs
Kansas	\$4,000*	5 yrs
Kentucky	\$2,500	10 yrs
Louisiana	\$5,000	10 yrs
Maine	\$6,000*	6 yrs
Maryland	\$5,000	3 yrs
Massachusetts	\$7,000	6 yrs
Michigan	\$7,000	6 yrs
Minnesota	\$20,000	6 yrs
Mississippi	\$3,500	3 yrs
Missouri	\$5,000	10 yrs
Montana	\$7,000	8 yrs
Nebraska	\$3,900-\$7,500*	5 yrs
Nevada	\$10,000	6 yrs
New Hampshire	\$10,000	3 yrs

STATE	SMALL CLAIMS LIMIT (2026)	WRITTEN-CONTRACT SOL
New Jersey	\$5,000*	6 yrs
New Mexico	\$10,000	6 yrs
New York	\$10,000 NYC*	6 yrs
North Carolina	\$5,000-\$10,000	3 yrs
North Dakota	\$15,000	6 yrs
Ohio	\$6,000	6 yrs
Oklahoma	\$10,000	5 yrs
Oregon	\$10,000	6 yrs
Pennsylvania	\$12,000	4 yrs
Rhode Island	\$5,000	10 yrs
South Carolina	\$7,500	3 yrs
South Dakota	\$12,000	6 yrs
Tennessee	\$25,000	6 yrs
Texas	\$20,000	4 yrs
Utah	\$15,000-\$20,000*	6 yrs
Vermont	\$10,000	6 yrs
Virginia	\$5,000	5 yrs
Washington	\$10,000 / \$5,000	6 yrs
West Virginia	\$10,000-\$20,000*	10 yrs
Wisconsin	\$10,000	6 yrs
Wyoming	\$6,000	10 yrs

Sources: small claims limits from a 2026 aggregator survey (terms.law); statutes of limitation from Nolo's civil SOL chart. Compiled June 2026. Oral contracts, property damage, and injury claims often have different (usually shorter) deadlines — see the .md reference.

9. Your AI Legal Assistant: Setup & Prompts

The .md files in this kit turn Claude, ChatGPT, or any capable AI into a small claims specialist tuned to your case. Full setup is in QUICKSTART.md. Load SOUL, IDENTITY, RULES, and TOOLS; fill in IDENTITY with your details; then drive it with prompts like these.

1. Verify my state's current small claims dollar limit, filing fee, and the statute of limitations for my type of claim. Give me the official court source and the date.
2. Using my case in IDENTITY, draft a demand letter for \$[AMOUNT] with a 14-day deadline. Flag anything you could not verify.
3. Help me calculate my exact damages, line by line, and tell me if my total is within my state's limit.
4. Role-play the other side and coach me through settlement. My ask is \$X, target \$Y, floor \$Z.
5. Draft my Statement of Claim. Then tell me what the defendant will most likely argue and how I rebut each point with an exhibit.
6. Organize this evidence into a numbered exhibit list with a one-line description of what each item proves.
7. Write my 2-minute opening statement and a 30-second closing.
8. I won \$[AMOUNT] but the defendant won't pay. What are my collection options in my state, and which is best given what I know about their job and assets?

THE GOLDEN RULE

AI can draft and research brilliantly — but it can also invent a citation or a deadline. Never file or rely on a number, statute, or case name the AI gives you without confirming it against your official court source. You review. You sign. You file.

Important — Please Read

This kit is provided for informational and educational purposes only. It is not legal advice, and using it does not create an attorney-client relationship. LegalHubAI is not a law firm and does not practice law.

Small claims rules, dollar limits, fees, forms, and deadlines vary by state and by court, and they change over time. The figures in this kit were compiled from public sources in June 2026 and may be out of date or differ from your court. You are responsible for verifying every figure, citation, deadline, and form requirement with your official court before you rely on it.

AI tools can make mistakes, including inventing citations or stating incorrect deadlines. Always independently verify AI-generated content. For complex matters, or any claim of significant value, consult a licensed attorney in your jurisdiction.

By using this kit you accept full responsibility for your own filings and decisions.

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