

IN THE SMALL CLAIMS COURT IN AND FOR
WASHINGTON COUNTY, STATE OF UTAH

<p>_____ Plaintiff</p> <p>_____ Address</p> <p>_____ City, State and Zip</p> <p>_____ Email Address</p> <p>_____ Phone</p> <p>AND</p> <p>_____ Plaintiff</p> <p>_____ Address</p> <p>_____ City, State and Zip</p> <p>_____ Email Address</p> <p>_____ Phone</p> <p>V.</p> <p>_____ Defendant</p> <p>_____ Address</p> <p>_____ City, State and Zip</p> <p>_____ Email Address</p> <p>_____ Phone</p> <p>AND</p> <p>_____ Defendant</p> <p>_____ Address</p> <p>_____ City, State and Zip</p> <p>_____ Email Address</p> <p>_____ Phone</p>	<p>Small Claims Affidavit and Summons Online Dispute Resolution Case</p> <p>_____</p> <p>Case Number</p>
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This form is for small claims cases filed in justice courts using Online Dispute Resolution **only**.

I swear that the following is true.

(1) Defendant owes me \$ _____ for the claim described in paragraph (2).
plus the filing fee of \$ _____
plus an estimated service fee of \$ _____
for a total of: \$ _____

plus prejudgment interest, if qualified for prejudgment interest.

(2) The events happened on _____ (date). My claim is based on the following facts.

- (3) Plaintiff has asked defendant(s) to pay the debt and they have not.
- (4) Defendant resides within the jurisdiction of the court.
 The events happened within the jurisdiction of the court.
- (5) I am not suing a government entity. I am not suing a government employee for the employee's on-the-job conduct.
- (6) I am not suing on a claim that has been assigned to me.

I have not included any non-public information in this document.

I declare under criminal penalty under the law of Utah that everything stated in this document is true.

Date

Sign here ► _____
Printed Name _____

Summons

To: _____
Defendant

Defendant

Notice to the Defendant

This court uses online dispute resolution (ODR) to settle small claims cases.

- Within 14 days of receiving this Affidavit, you must register at <https://pubapps.utcourts.gov/OnlineDisputeResolutionWEB> to try to settle this case.
- **If you do not register within 14 days**, judgment may be entered against you for the total amount claimed. The plaintiff could garnish your paycheck or take your property to pay the debt.
- If you are unable to participate in the online process, see below.

In this small claims case, instead of going to trial at the courthouse at a specific date and time, you and the plaintiff will work with a third person (facilitator) to reach a solution. A facilitator is a neutral person trained to help people resolve disputes.

A small claims case has been started against you.

Read the Affidavit

The Affidavit explains what the other party is asking for. Read it carefully.

- Register for Online Dispute Resolution (ODR)
- Within 14 days of receiving the Affidavit, go to www.utcourts.gov/smallclaimsodr and register for ODR. • To register, you will need the case number and your name as it is listed on the Affidavit to access your case.
- After you register, a small claims facilitator will be assigned to your case. There are several possible outcomes:
 - If you agree you owe the plaintiff money and you agree on the amount owed, the facilitator can help you set up a payment plan.
 - If you agree you owe the plaintiff money but disagree about the amount owed, the facilitator can help you come to an agreement on the amount owed.
 - If you don't settle, you still have the right to go to trial.

Asking to be excused from ODR

If you:

- need ADA assistance,
- don't speak English, or
- don't have internet access, you can ask the court to be excused from the ODR requirement.

Call the court and ask for the forms. You must fill out the forms and return them to the court within 7 days of being served this document.

Trial

If you can't come to an agreement with the facilitator's help, or if you have been excused from ODR, the case will be scheduled for trial.

The court will notify you of the date, time, and place of the trial.

If you do not go to the trial, the court can enter a judgment against you for the total amount requested in this Affidavit.

Right to Jury Trial

If you want to have a jury trial in this case, you must file documents to remove the case to district court. See the Small Claims web page for information about that process, and forms:

www.utcourts.gov/howto/smallclaims/#removal2

Finding help

The court's Finding Legal Help web page (www.utcourts.gov/howto/legalassist/) provides information about the ways you can get legal help, including the Self-Help Center, reduced-fee attorneys, limited legal help and free legal clinics.

Date: _____

Sign here ► _____

Court Clerk _____