

IN THE MAGISTRATE COURT OF WALTON COUNTY, STATE OF GEORGIA

INSTRUCTIONS FOR FILING A CIVIL SUIT (SMALL CLAIMS ACTION)

(Please read carefully)

1. Send the ORIGINAL of the suit to be filed. Our office will make copies.
2. We MUST have the Plaintiff's name, mailing address and telephone number(s).
3. We MUST have the Defendant's name and physical address. We WILL NOT accept a post office box as an address. Please make sure the address is in Walton County before you file this action.
4. List the Defendant's indebtedness to the Plaintiff. Do not add court costs to the indebtedness. The court costs will be listed separately on the Small Claims action.
5. Give a brief description of the claim.
6. The statement of claim MUST be verified by a signature and be DATED and NOTORIZED.
7. To file the Civil Suit (small claims action) a filing fee in the amount of: **\$101.00** is due at the time of filing (includes Sheriff's Service fee on one Defendant. Additional Defendants to be served are calculated at **\$50.00** for each Defendant's service.
8. If you like notification of service, please include a self-addressed and stamped envelope with your statement of claim.
9. You may request a Default Judgment forty five (45) days after the date of service, provided no answer was filed by the Defendant(s).
10. A Default Judgment WILL NOT be issued automatically. You may request a Default Judgment forty five (45) days after the date of service. The Defendant has thirty (30) from the date of service to file answer to the action and fifteen (15) days beyond this time to pay court costs and reopen the action. This request is the responsibility of the Plaintiff and must be completed in writing to the Magistrate Court.
11. If an answer is filed by the Defendant, the Court will schedule a date and time for the hearing of the action, at the soonest date possible.
12. If you and the Defendant(s) reach an agreement to settle the case or enter into a consent agreement, please notify the Court as soon as possible. Also, once the Defendant(s) pay the amount requested and owed, please notify the Court in writing that the case has been satisfied. This is the responsibility of the Plaintiff and this notification should include the case number for which the settlement is derived.
13. If judgment is rendered in another county, we MUST have a copy of that judgment in order to file a garnishment.

Walton County Magistrate Court
303 South Hammond Drive, Suite 116
Monroe, Georgia 30655
770-267-1349
(Civil Division)