

INSTRUCTIONS AND INFORMATION FOR FILING IN CIVIL COURTS

Before filing a Law Suit in a Justice Civil Court, you must mail a Certified Return Receipt Requested letter to the person responsible for your damages, to answer within 10 days.
You may file the Law Suit in the Justice Court, after the 10th day of the returned signed letter.

You may file on the following:

Loans (personal loans), Reposes of merchandise (furniture, autos, property, land, etc.), title transfers, Damaged property Auto accidents (you may sue the driver and owner) (After 60 days, from the date Judgment is in your favor, you may request for suspension of driver and owner's license and license plates through the D.P.S. OFFICES.)

1. The amount of debt or damages for which you may sue in JUSTICE COURT is limited to \$10,000.00.
In all Civil suits, the Defendant has the right to be sued in the county and Precinct in which he/she resides.
(Plaintiff is the party suing.) (Defendant is the party you are suing)
2. Once you have filed the PETITION & NOTARIZED stating the facts and circumstances of your suit, a citation with a copy of the petition will be served to the Defendant that a Law-Suit has been file and to appear in Court to answer between 10 to 20 days from the date of serving the Citation. If he fails to answer the law suit, you then become eligible for a default judgment up until the time an answer is filed
3. If the Defendant answers the Law-suit, a notice of TRIAL SETTING will be mail to both parties.
its your responsibility to present any evidence to prove your case, a request in writing for a continuance must be in proper form and timely filed. (at least 5 working days prior to trial date)
If you have witnesses who will not come to Court voluntarily, you may come in 2 weeks prior to the trial and ask that a subpoena be prepared to secured their presence.
5. With respect to the trial itself, all legal rules of evidence and procedure apply in Justice Court suits with that statement, If one party has an Attorney the other party will be well advised to secured one. However, the Legislative intent relative to the creation of this Court was not only to be on law, but also to be one in equity. Therefore, I will assure both the Plaintiff and the Defendant that all facts will be solicited and a decision rendered in regard to the evidence which is resented to this Court. (Corporations must be represented by an Attorney in the Court)
6. Should you receive JUDGMENT, (Judge rules in your favor) the Court does not collect and will not force the Defendant to pay the Judgment, however to help you collect your Judgment you may request for:
 - A. ABSTRACT OF JUDGMENT: (10 days after the trial) to put a lien on any real property the Defendant may own or reside in a county where the abstract is recorded in County Clerks Office.
 - B. WRIT OF EXECUTION/RESTITUTION: (30 days after the trial) Authorizes the Sheriff or Constable to seize any assets belonging to the Defendant that are subject to the writ those assets are then auction at a public sale and the proceeds are applied to the Judgment.
 - C. WRIT OF GARNISHMENT: (An Attorney is required) This Garnishment proceeding is a separate suit wherein you are the Plaintiff and the Defendant's Bank becomes the Defendant. You are actually suing the Bank in which the original Defendant has his Bank account. You are warning the said Bank to FREEZE the monetary asset of his/her Bank Account and to appear and make answer to the Garnishment Writ. (30 days after a final Judgment is entered)

ANY LEGAL QUESTIONS SHOULD BE DIRECTED TOWARD AN ATTORNEY.

FEEES (MONEY ORDERS ONLY)

FILING FEE & SERVICE FEE	Abstract of Judgment / WRITS / Subpoenas
\$33.00 (To file the petition= payable to Justice Court 5-2)	\$ 7.00 (payable to Justice Court 5-2)
\$60.00 (To file the citation ==Payable to Civil Proc.)	\$ 200.00 (payable to Sh. Dept. or Const. Dept. for services)
\$60.00 to sue 2 nd . Defendant	\$ 70.00 (for Supoenas)
\$ 65.00 (to served defendant in another County)	

CAUSE NO: _____

**Plaintiff's Petition
To file in
Justice Civil Court**

**In The Justice Court
Precinct 5, Place 2,
Cameron County, Texas**

PLAINTIFF'S ORIGINAL PETITION

Plaintiff's Name: _____

Address: _____

City & St: _____ Phone No: _____

FILES SUIT AGAINST:

Defendant's Name: _____

Defendant's Address: _____

City & St: _____ Phone No: _____

Plaintiff, alleges the following cause of action against Defendant, in the amount of:

amount of Suit and/or any additional Fees-----	\$	_____
Filing Fees-----	\$	_____
Services Fees-----	\$	_____
Total:-----	\$	_____

For: _____

(Briefly describe the nature of Plaintiff's demand and claim)

Wherefore, Plaintiff prays that Defendant be cited to appear herein and that upon hearing hereof, Plaintiff have Judgment against Defendant for the amount state above, plus interest as provided by law, plus Court Cost and all such other relief both general special, either in law or in equity, to which Plaintiff may be entitled.

Plaintiff's Signature

SUBSCRIBED AND SWORN TO BEFORE ME THIS _____ day of _____ 20_____.

Certify which witness my hand and seal of office.

**Notary Public in and for the STATE OF TEXAS
My Commission Expires: _____**