

Defending a Small Claim

Usually, you receive notice that you have been sued by being served with court papers. Look at the summons for the date, time and place that the hearing will be held. If you weren't served properly or if you think the case is scheduled in the wrong location, talk to a lawyer right away. If you do nothing, the court may enter a default judgment against you.

In small claims, the Rules of Evidence and procedure are relaxed. You may represent yourself or hire an attorney. If the case involves personal injury, medical claims or if you are unfamiliar with the party who is suing you, talk to a lawyer.

Small claims cases are heard in the District Court of Maryland. Here is a brief list of the ways you can respond if you are sued in small claims court:

1. Go to Trial

- **If you want to go to trial, you must file your Notice of Intention to Defend.** It can be found at the bottom of the Summons. If you need a new one, visit the clerk's office.
- If you think the other party owes you money, you may file a counterclaim.
- Get ready for trial by gathering your evidence and subpoenaing witnesses.

2. Settle

- If you agree you owe all or some of the money, or if you don't want to go to trial, you can talk to the plaintiff and work out an agreement. **Put the agreement in writing.**
- Tell the court in writing that you reached an agreement so the court doesn't enter a judgment against you.

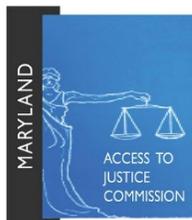
3. Mediate

- In mediation, a trained mediator helps the parties settle or resolve their dispute. District Court mediation is free. Visit: www.mdcourts.gov/district/adr/home.html.

4. Do Nothing

- If you do nothing, the court may enter a judgment against you.
- A judgment allows the plaintiff to try to collect money from you by garnishing your wages or bank accounts or by seizing other property that belongs to you.

If you have a legal question about small claims, you can talk to a lawyer for free at the District Court Self-Help Center. Visit: www.mdcourts.gov/legalhelp/districtctselfhelpctr.html.



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