

HENDERSON JUSTICE COURT
Clark County, Nevada
Information For Filing A Small Claim

The person bringing the action is known as the Plaintiff. The person being sued is known as the Defendant. Plaintiff or Plaintiff's attorney must present the claim. The clerk will assign a court date to the claim within 90 days from the date of filing. Investigate the Defendant's place of employment, his/her bank account number and branch, registered owner of automobile, etc. prior to the court date to ensure that the judgment is collectible.

Then, if the Defendant does not pay, collection may be possible by attaching one of the following: wages, bank account, property, automobile, etc. The Court does not investigate the claim. Either party may subpoena witnesses at their own expense after the case has been served and the Court has received the Affidavit of Service. There is no fee for issuing a subpoena; however, the Constable's Office will charge for service.

Claims May Be Filed Provided:

1. Plaintiff has demanded payment of the amount claimed by writing a letter to the Defendant requesting payment and sending same by Certified Mail, Return Receipt Requested. If the demand letter was refused or unclaimed Plaintiff may proceed with the demand, otherwise, wait fifteen (15) days for a reply before proceeding. Return receipt or the original envelope marked "refused or undeliverable" must accompany all claims.
2. The claim is for money only and does not exceed \$7,500.00. (If the claim is for more than \$7,500.00, Plaintiff may waive any amount over that and sue for \$7,500.00. Claims cannot be divided into two separate actions. (If a claim exceeds \$7,500.00, it is suggested that the claimant contact an attorney).

3. The Defendant must reside, work, or do business in the Henderson Township, (**a current address, not a P.O. Box of the Defendant is required**). If the Defendant lives, works, or does business in North Las Vegas, the claim must be filed in North Las Vegas Justice Court at 2428 Martin Luther King Blvd., North Las Vegas, NV, 89032 phone (702) 455-7801. If the Defendant lives, works, or does business in Las Vegas, the claim must be filed in Las Vegas Justice Court at 200 Lewis Ave. Las Vegas, NV, 89155 phone (702) 671-3478.
4. Plaintiff must be at least 18 years of age.

Information For Suing A Business:

Where the Defendant is a business, it is very important to have the correct information before filing the claim. The following information is required: **If the Defendant is a corporation, the corporation must be named and the claim served on a corporate officer or the resident agent. Information on corporations may be obtained from the State of Nevada, Secretary of State, Corporation Commission, 555 East Washington, Las Vegas, NV 89125, phone (702) 486-2880, or 1(800)992-0900. Information may be available on their website at <http://sos.state.nv.us>**

If the Defendant is an unincorporated business owned by an individual, the suit is against the owner and the business (e.g..John Smith d.b.a. Smitty's Services). This information may be obtained from Business License Offices. If their main business office is located within the City of Las Vegas, the Business License Office is located at City Hall, 400 East Stewart Avenue. If the business is located in unincorporated Clark County, the Business License Office is located in the Clark County Government Center, 500 South Grand Central Parkway, phone (702) 455-4252. The City of Henderson Business License office is located at 240 Water Street, Henderson, Nevada 89015, phone (702) 267-1730.

The filing fee for your claim depends on the amount of money sued for:

If the sum claimed does not exceed \$1,000.00 - \$66.00
If the sum claimed exceeds \$1,000.00 but does not exceed \$2,500.00 - \$86.00
If the sum claimed exceeds \$2,500.00 but does not exceed \$5,000.00 - \$106.00
If the sum claimed exceeds \$5,000.00 but does not exceed \$7,500.00 - \$146.00
(Effective 8/1/2015) If the sum claimed exceeds \$7,500.00 but does not exceed \$10,000.00 - \$196.00

SERVICE: The Constable, a private process server or a disinterested third party may be utilized. If the Defendant is not served, the case will not be heard. The Affidavit of Service must be received in Henderson Justice Court a minimum of 10 working days prior to the Court date.

The Court assigns a court date to the claim at the time it is filed. This date, however, is tentative. To confirm the court date, contact the Court at least one day prior to the court date at (702) 455-7980.

PLEASE REMEMBER: This is your claim. You are the Plaintiff. The Court will file your claim from the information provided. The Court does not investigate addresses, employment, bank accounts, etc. The Court does not collect money. If the Court awards Judgment, you are responsible for locating all information needed to collect on that Judgment. The Court does not give legal advice; court personnel may only explain procedures.

Please Note

The Small Claims Affidavit of Complaint must be typed and may be downloaded and typed right from our website at: <http://accessclarkcounty.com> click on Departments, then under Justice Courts click on Henderson JC, then Forms.

REQUIRED FORMS: Affidavit of Complaint (1) Original (3) Copies, Proof of Mailing (1) Copy \$66.00, \$86.00, \$106.00 or \$.146.00 filing fee