

Clerk's Suit Division Guidelines (Small Claims)

The Clerk's Suit Division of the 15th Judicial District Court in Lafayette Parish, Louisiana consists of the following guidelines:

1. A corporation or legal entity, or a duly authorized agent filing a claim on behalf of a corporation or legal entity, may do so in a court of limited jurisdiction (i.e. city court, justice of the peace court), but not in district court.
2. The person who initiates an action is the Plaintiff and the person being sued is the Defendant.
3. The amount of your claim must be less than \$5,000.00
4. The advance court cost for filing of a Clerk's Suit with one (1) defendant is \$300.00. An additional deposit of \$100.00 is required for each additional defendant. This is only an advance deposit. An additional deposit may be required later in the legal proceedings.
5. The petition can either be notarized by a notary or can be notarized by the Clerk at time of filing. If it is to be notarized at time of filing it must be signed in front of the Deputy Clerk. However, the Affidavit of Correctness of Account must be notarized by a notary before filing the petition then filed at the same time as the petition.
6. When a Clerk's Suit is filed with our office, a docket number is assigned. You will receive a copy of your suit with the assigned docket number at the time of filing. You must provide our office with your docket number when requesting information regarding your suit.
7. After the defendant is served with the necessary papers, they have ten (10) days in which to file an answer to your petition in our office.
8. Allowing for mail delays, allow ten (10) working days from the date of filing of your petition before contacting our office to see if and when the defendant was served. If service was made on the defendant, call approximately 14 days after the date of service to see if the defendant filed an answer. This information will not be automatically sent to you. You may obtain this information by calling our Civil Records Department at (337) 291- 6303.
 - a. If the defendant does not file an answer within 10 days of service, you must file a letter requesting that a judgment be placed against the defendant for the amount owed plus the cost of court. The attached affidavit must be signed by you in the presence of a notary and the affidavit must be filed along with the letter requesting judgment. Before filing, contact the Civil Court Cost Department at (337) 291-6314 to find out if an additional deposit is needed to prepare the judgment.
 - b. If the defendant has filed an answer to your petition, you must file a letter requesting the matter to be set for trial. Before filing, contact the Civil Court Cost Department at (337) 291-6314 to find out the additional deposit needed.

(Plaintiff)

VERSUS

DOCKET NUMBER: _____

(DEFENDANT)

PARISH OF LAFAYETTE, LOUISIANA

CLERK'S SUIT

Personally came and appeared before me, the undersigned Notary Public:

(Plaintiff's Name) (Address) (City) (State) (Zip)

Who declares and acknowledges that the amount of
\$ _____

is the true and correct amount owing and past due by the Defendant:

(Defendant's Name) (Address) (City) (State) (Zip)

The reason for this action is as follows:

(Plaintiff's Signature)

(Print Name)

(Address)

(City) (State) (Zip)

(Phone Number)

Sworn to and Subscribed before me,

This _____ day of _____, 20_____.

Signature

Print Name ID #

Deputy Clerk of Court, Lafayette Parish

(Plaintiff)

15th JUDICIAL DISTRICT COURT

VERSUS

DOCKET NUMBER: _____

(DEFENDANT)

PARISH OF LAFAYETTE, LOUISIANA

AFFIDAVIT OF CORRECTNESS OF ACCOUNT

BEFORE ME, the undersigned Notary Public, personally came and appeared:

who, being first duly sworn, did declare that:

he/she is a _____ representing _____

the true and correct amount owed to plaintiff _____

together with _____

and all costs of court.

AFFIANT

SWORN TO AND SUBSCRIBED BEFORE me this _____ day of _____,
20____.

NOTARY PUBLIC