

**SMALL CLAIMS**

**FAQ:**

**Q: I have a trial set and the court is closed, what do I do now?**

A: All small claims hearings will be rescheduled during the Court closure. You will be receiving a notice in the mail as to the new trial date and time. If you have not received a notice 3 days before the hearing, please check the [5-day calendar on the Court's website](#) or call the Court at 805-706-3600. In the event of a further extension of the Court closure, additional continuance orders will be issued.

**Q: I have a trial set and I received a notice from the court that my trial has been postponed. Do I need to serve the other party again?**

A: If you are the person who filed the claim (the Plaintiff) and you properly served the other party (the Defendant) and have filed your proof of service with the Court, you are not required to re-serve the other party. However, if at the trial the Court finds that the other party was not served, or improperly served, the Court may continue your trial.

A: If you are the Plaintiff (the person who filed the claim) and have not yet served the other party (the Defendant), you need to make certain that you have the other party served with a copy of the claim you filed and a copy of the new notice of the hearing date and time. You also need to ensure that you file your proof of service a minimum of five (5) days prior to the new trial date.

**Q: I was issued a subpoena to appear for a small claims trial by one of the parties to the action and the court is closed. what happens now?**

A: All small claims hearings will be rescheduled during the Court closure. The parties will be provided notice of the new date. The party that served the subpoena will need to serve you with a new subpoena. You may contact the party that served you with the subpoena to obtain the new trial date.

**Q: I have a trial set and I had a subpoena served on a witness and the court is closed. What do I need to do now?**

A: All small claims hearings will be rescheduled during the Court closure. You will be receiving a notice in the mail shortly as to the new Court trial date and time. You will need to have a subpoena issued and served on the witness with the new trial date and time.

**Q: A judgment was entered against me in a small claims action and I want to file an appeal, but the court is closed. How do I file my appeal now?**

A: An appeal can only be filed by the Defendant in a small claims action. You may obtain appeal form here: <https://www.Courts.ca.gov/documents/sc140.pdf>. You will need to complete and sign the

form. The form can be e-filed. You may also file an appeal by submitting the form in any one of the drop boxes located at the San Luis Obispo Courthouse (Monterey and Palm Street entrances).

- Note: The appeal must be filed within 30 days from the date the notice of judgment is mailed by the clerk's office.

**Q: An appeal was filed in my small claims action and a trial de novo was set but the court is closed. What happens next?**

A: Trials de Novo will be rescheduled during the Court closure and continued to a future date. You will be receiving a notice in the mail as to the new trial date and time.

**Q: I received a copy of the court order and I have been ordered to pay money to the other party, but I cannot pay it all at once. What do I do?**

A: If the Court asked you to pay money, you can talk to the other party to work out a payment arrangement. If you are not able to do this, you can ask the Court for permission to make payments. Information on this process can be located here:  
<https://www.courts.ca.gov/documents/sc220info.pdf>

You will need to complete Form SC-221 and file it with Form SC-225. You can obtain these forms here: <http://www.courts.ca.gov/forms.htm>

The forms can be e-filed. You may also place the completed forms in either one of the drop boxes located at the San Luis Obispo Courthouse (Monterey and Palm Street entrances) or mail them to the Court at 1035 Palm Street, Room 385, San Luis Obispo, CA 93408.

**Q: I have a trial set and I need to ask for a postponement, but the court is closed. What can I do?**

A: All trials set during the Court closure will be rescheduled and notices of the new trial date will be mailed. If your trial is set for a date during the Court closure and you are seeking a postponement, you will need to complete the required forms (SC-150 and SC-152) and pay any necessary filing fee. You may obtain the forms here:  
<http://www.courts.ca.gov/forms.htm?filter=SC>

The forms can be e-filed. You may also place the completed forms in either one of the drop boxes located at the San Luis Obispo Courthouse (Monterey and Palm Street entrances) or mail them to the Court at 1035 Palm Street, Room 385, San Luis Obispo, CA 93408.

**Q: I want to file a small claims action and the court is closed. Do I have to wait until the court opens?**

A: During the Court closure, you will not be able to file any documents in person at any of the Court's divisions. It is strongly recommended that if you wish to file a new action during the period of closure that you use the e-filing option. You can start here:  
<https://www.slo.Courts.ca.gov/sh/selfhelp-smallclaims.htm>

In the alternative, you can place your new claim along with the appropriate filing fee in either one of the drop boxes located at the San Luis Obispo Courthouse (Monterey and Palm Street entrances), or mail them to the Court at 1035 Palm Street, Room 385, San Luis Obispo, CA 93408. The filing fee should be in the form of a check or money order if you file via drop box. All new small claims matters will be calendared as soon as dates become available.

**Q: Where can I find online forms for small claims actions?**

A: Small claims forms can be found here: <https://www.Courts.ca.gov/forms.htm?filter=SC>