

## SMALL CLAIMS INFORMATION SHEET

### What is a Small Claims Case?

A small claims case is a simplified type of court case for a person to try to recover money or personal property worth \$10,000 or less. If your claim is over \$10,000, you can still use small claims court, but you must give up the right to collect any amount over \$10,000. You may, however, recover interest on any money you are awarded and court costs over the \$10,000 maximum.

You do not need a lawyer in a small claims case, although you may have one if you wish. Small claims court can only be used if all parties agree to use this simplified procedure.

Small claims procedure cannot be used for:

- disagreements about title to real property (land or buildings)
- actions to recover possession of real property (land or buildings)
- evictions
- claims against the State of Alaska or the United States government
- injunctive relief (a court order requiring a person to do or not to do a specified act)
- actions to foreclose or enforce statutory, common law, or possessory liens

You can find more information about small claims at <https://courts.alaska.gov/shc/sc/index.htm>

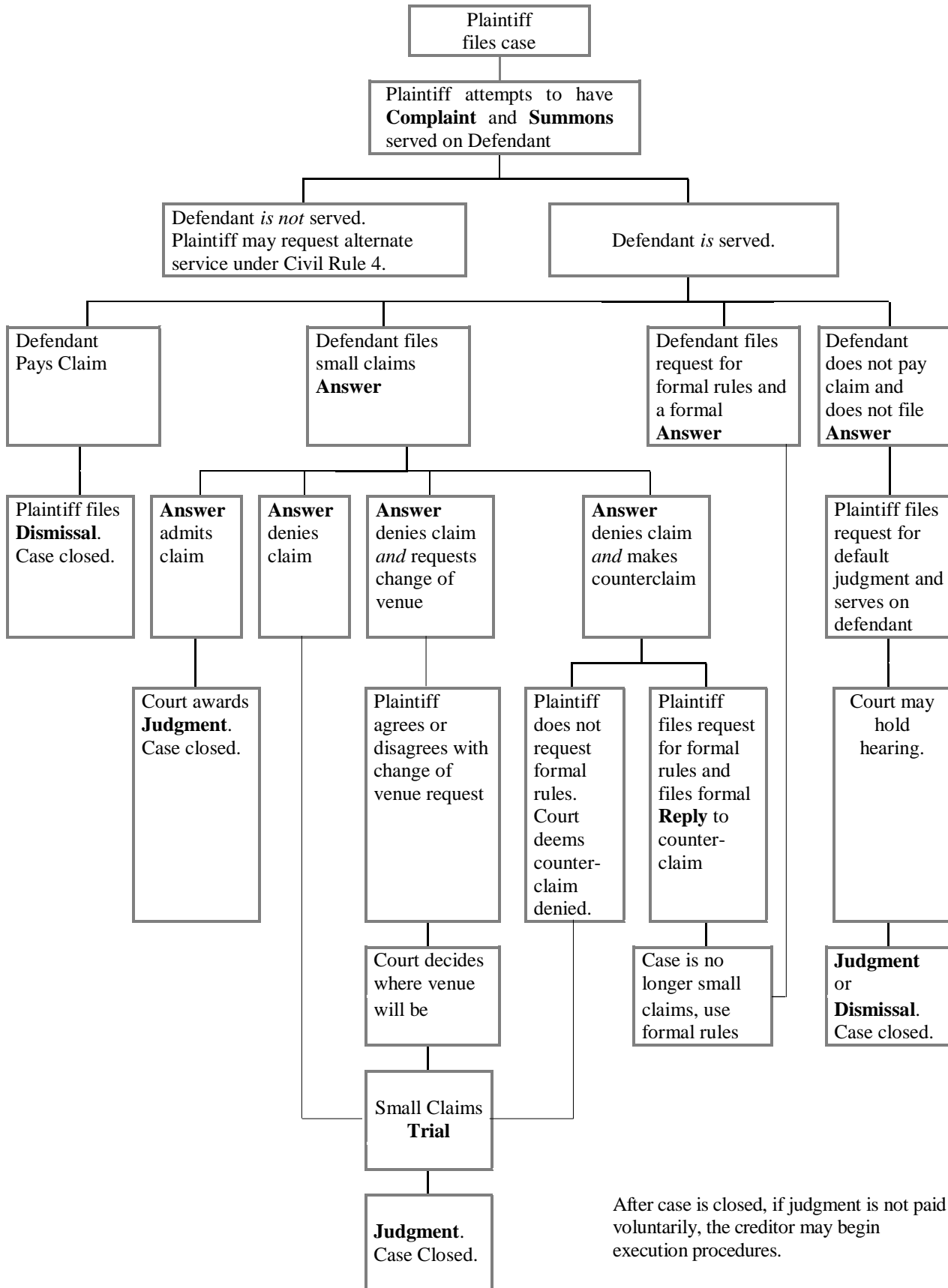
The *Alaska Small Claims Handbook* and all small claims forms are also available in paper copy from any local court clerk.

## COMPARING PROCEDURES

	SMALL CLAIMS	FORMAL CIVIL
Filing Fee	\$50 if claim is \$2500 or less \$100 if claim is more than \$2500	\$150 in district court \$250 in superior court
Amount of Claim	Up to \$10,000	Up to \$100,000 in district court Any amount in superior court
Jury Trial	No	Yes, if one is requested
Need for a Lawyer	Usually no	Usually yes
Formal Rules of Evidence at Trial	No	Yes
Forms Supplied by Court	Yes	Very few
Service of Process to Defendants Outside Alaska	Only allowed in some cases.	Allowed.
Complexity of Procedures	Approximately 15 - 20 rules govern small claims cases.	Over 80 court rules govern formal civil procedure.
Estimated Time Before Trial	4-12 weeks after answer is filed.	6 - 10 months after answer is filed.

\*\*These are not all of the differences between the two types of cases. You can read in more detail about the items in this chart and other differences in the *Alaska Small Claims Handbook* ([SC-100](#))\*\*

## Sequence of Events in a Small Claims Case



After case is closed, if judgment is not paid voluntarily, the creditor may begin execution procedures.