SELFLAW | YOU v. THEM | PLAINTIFF FIELD GUIDE

How to sue someone yourself.

A plain-English 8-page guide to bringing a civil claim without a lawyer-from demand letter to collecting your judgment.

FREE PLAIN-ENGLISH GUIDE | 8 PAGES | SELFLAW.ORG

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Is it worth suing? What a court can and cannot give you

Civil courts award money damages (such as an unreturned security deposit, unpaid wages, property repair costs, or statutory penalties) and, in specific forums, court orders to return property or stop unlawful conduct.

Before filing, verify three practical realities: (1) your statute-of-limitations deadline has not expired, (2) you have objective proof or witness testimony, and (3) the person or business you are suing has income, bank accounts, or property to pay a judgment.

PLAIN-ENGLISH ACTION CHECKLIST

- [ ] Write down the exact date the contract was broken or injury happened.
- [ ] Look up the legal entity name on your Secretary of State registry if suing a business or LLC.
- [ ] Add up out-of-pocket principal plus any statutory bad-faith multiplier.

Procedural Reference Examples: 28 U.S.C. Sec. 1654 | State Small Claims & Civil Venue Statutes

Before you file: the pre-suit demand letter & exhaustion traps

Many Small Claims courts require you to ask for payment before suing, and certain claims (such as government tort claims or administrative wage/discrimination claims) strictly require an administrative claim before filing in court.

A calm, dated written demand letter stating what happened, the exact dollar amount owed, a 10-to-14-day payment deadline, and how to pay often settles disputes without court-and becomes Exhibit A for the judge if ignored.

PLAIN-ENGLISH ACTION CHECKLIST

- [ ] State dates, dollar figures, and contract promises without insults or threats.
- [ ] Keep a PDF copy and USPS Certified Mail or delivery receipt.
- [ ] Preserve all texts, emails, photos, and call logs in original format.

Which court, what it costs, and how to ask for a $0 fee waiver

Generally, you sue in the county where the defendant lives or does business, or where the contract was signed/performed or the property sits. Small Claims courts cap dollar amounts (for example, $10,000-$20,000 depending on state) in exchange for fast, informal hearings.

If paying the court filing fee would hurt your ability to pay for rent, groceries, or utilities, every state and federal court offers an In Forma Pauperis (Fee Waiver) application (such as FW-001 or AO-240) that waives filing and Sheriff service fees.

PLAIN-ENGLISH ACTION CHECKLIST

- [ ] Compare your claim total against your state Small Claims dollar cap.
- [ ] Check automatic fee-waiver eligibility if you receive SNAP, SSI, Medicaid, TANF, or earn <= 125%-150% FPL.
- [ ] File your Fee Waiver packet at the same time as your initial claim.

Procedural Reference Examples: 28 U.S.C. Sec.Sec. 1391, 1915 | Cal. Gov. Code Sec. 68632

Preparing and filing your claim so the clerk accepts it first try

Clerks reject self-represented filings for mechanical formatting defects-rarely for legal merits. Keep the top-right 2x2-inch clerk stamp box completely blank on page 1, use exact legal party names, and sign under penalty of perjury where required.

State each fact in short, chronological numbered paragraphs: date, who did what, what contract or statutory duty applied, and exact dollar harm.

PLAIN-ENGLISH ACTION CHECKLIST

- [ ] Leave the top-right page-1 file-stamp box clear of text.
- [ ] Match the defendant name to leases, checks, invoices, and Secretary of State records.
- [ ] Bring or upload an extra copy so you receive a conformed (file-stamped) copy back.

Procedural Reference Examples: Fed. R. Civ. P. 8(a), 10, 11 | Cal. Rules of Court 2.100-2.119

Serving the other side the right way (never serve papers yourself)

A critical rule in nearly every court: a party to the lawsuit CANNOT hand-deliver or mail the Summons and Claim themselves. Service must be performed by the County Sheriff/Marshal ($0 with a fee waiver), a registered process server, court-clerk certified mail where allowed, or a non-party adult age 18+.

Once delivered, the person who served the papers must sign and file the Proof of Service before your service cutoff date-without Proof of Service on file, the judge cannot hear your case.

PLAIN-ENGLISH ACTION CHECKLIST

- [ ] Check your court cutoff (often 15-20+ days before a Small Claims hearing, or 60-90 days in civil court).
- [ ] Serve the Registered Agent for Service of Process when suing an LLC or corporation.
- [ ] File the signed Proof of Service with the court clerk immediately after delivery.

Procedural Reference Examples: Fed. R. Civ. P. 4(c)(2) | Cal. CCP Sec.Sec. 116.340, 414.10

Your day in court: organizing exhibits and speaking clearly

Judges hear dozens of cases a day. Bring three identical sets of numbered exhibits (one for the judge, one for the other side, one for you): contract/lease first, demand letter second, photos/texts third, and receipts/estimates fourth.

Open with a 30-second roadmap: "Your Honor, this is a claim for $2,400 for an unreturned security deposit after I moved out on May 3. Exhibit A is our lease, Exhibit B is move-out photos, and Exhibit C is my unanswered demand letter."

PLAIN-ENGLISH ACTION CHECKLIST

- [ ] Arrive 30 minutes early, silence your phone, and address the bench as "Your Honor."
- [ ] Never interrupt the other side-write notes on a pad and wait until the judge turns back to you.
- [ ] Point to specific Exhibit letters and page numbers for every dollar you ask for.

Procedural Reference Examples: Fed. R. Evid. 901, 1002 | Local Courtroom Decorum Rules

If you win: turning a paper judgment into money in your bank

Courts do not automatically collect money for you. After any post-judgment appeal window (often 30 days in Small Claims) expires without payment, you unlock formal enforcement tools: Debtor Asset Examinations, Wage Garnishments, Bank Levies via Writ of Execution, and Real Property Judgment Liens.

Recoverable court filing fees, Sheriff service fees, and statutory post-judgment interest can typically be added to the judgment through a Memorandum/Bill of Costs.

PLAIN-ENGLISH ACTION CHECKLIST

- [ ] Wait out any mandatory stay window, then request a Writ of Execution or Abstract of Judgment.
- [ ] Schedule a Judgment Debtor Examination if you do not know where the debtor banks or works.
- [ ] File an Acknowledgment of Satisfaction of Judgment promptly once paid in full.

Procedural Reference Examples: Fed. R. Civ. P. 69 | Cal. CCP Sec.Sec. 685.010, 695.010, 708.110