

MAGISTRATE COURT OF OCONEE COUNTY

23 N. MAIN STREET

P.O. BOX 1099

WATKINSVILLE, GA 30677

(706) 769-3940

Angela Elder-Johnson, Clerk

Stacy Carson

scarson@oconee.ga.us

PROCEDURES FOR FILING A CIVIL CLAIM

Filing Fee is \$108.00 for service on one defendant and \$50.00 for each additional service, per claim. Check made payable to: Oconee County Magistrate Court.

The Defendant **must** be a resident of Oconee County before the claim can be filed with this court.

The jurisdictional limit for filing a claim in the Magistrate's Court is \$15000.00. Any claims exceeding this amount must be filed with the Clerk of Superior Court.

The Plaintiff is the party filing the claim, and the Defendant is the party that the claim is against.

The "Statement of Claim" must be completely filled out and notarized including the complete street address of Defendant (no P.O. Boxes acceptable) and the mailing address for the Plaintiff.

*Please include any supporting information you may have.

Deliver or mail the original "Statement of Claim" form along with the filing fee to the court. **ANY FORMS RECEIVED, NOT FILLED OUT CORRECTLY, WILL BE RETURNED TO YOU. THIS INCLUDES THE FILING FEE.**

Once your claim has been filed with the Court, the forms will be processed and forwarded to the Sheriff's Department for service. Once the forms are processed, no refunds will be made. Claims must be served personally or notoriously on the defendant; they cannot be tacked and mailed.

Once service is completed, the Court will mail you a copy of the Sheriff's Entry of Service form. The Defendant has 45 days to answer the claim to the court in writing. After the Defendant files an answer, the case will be set for Mediation. You will receive notice in the mail of the date and time. If no agreement is reached in mediation, the parties will immediately go to a hearing before the judge where a judgment will be rendered. If no answer is filed, the Plaintiff may submit to the court, in writing, a request for a default judgment. After that time you may take further action against them to collect on that judgment either by garnishing the defendant's wages or checking account (Additional \$104.00 filing fee), or by obtaining a FIFA (Additional \$29.00 filing fee) to levy on their personal property.

*****Please include your email information*****

(11/2023)

IN THE MAGISTRATE COURT OF OCONEE COUNTY
STATE OF GEORGIA

Angela Elder-Johnson, Clerk
P.O. Box 1099 / 23 N. Main Street
Watkinsville, GA 30677

Case No. _____

Date Filed _____

PLAINTIFF _____

DEFENDANT _____

Phone# _____

Phone# _____

Email _____

Email _____

STATEMENT OF CLAIM

☐ Suit on a Note ☐ Suit on Account ☐ Other (explain) _____

Plaintiff says the defendant is indebted to the plaintiff as follows:

That said claim is in the amount of \$ _____ plus \$ _____ costs to date; and all future costs of this suit.

State of Georgia, Oconee County:

_____ being duly sworn on oath, says the foregoing is a just and true statement of the plaintiff and claim made by plaintiff against defendant, exclusive of all set-offs and just grounds of defense.

Sworn and subscribed before me

This ____ day of _____, 20 ____.

Plaintiff (agent for)

Notary Public or Clerk/Deputy Clerk

(If agent, title/capacity)

NOTICE AND SUMMONS

TO: _____

You are hereby notified that _____ has made and filed a claim and is asking for judgment against you in the sum of \$ _____ dollars, as shown by the foregoing statement.

YOU ARE REQUIRED TO FILE OR PRESENT AN ANSWER TO THIS CLAIM WITHIN 30 DAYS AFTER SERVICE OF THIS CLAIM UPON YOU. IF YOU DO NOT ANSWER, JUDGMENT BY DEFAULT WILL BE ENTERED AGAINST YOU. YOUR ANSWER MUST BE FILED IN WRITING TO THE MAGISTRATE COURT.

The court will hold a hearing upon this claim at a time to be set after your answer is filed. If you have witnesses, books, receipts or other writings bearing on this claim, you should bring them with you at the time of the hearing. If you wish to have witnesses summoned, see the court at once for assistance.

If you have any claim against the plaintiff, you should notify the court at once. If you admit the claim but desire additional time to pay, you must come to the hearing in person and state the circumstances to the court. You may come with or without an attorney.

Clerk/Deputy Clerk, Oconee County