

**IN THE DISTRICT COURT OF THE SIXTH JUDICIAL DISTRICT OF THE
STATE OF IDAHO, IN AND FOR THE COUNTY OF _____
MAGISTRATE'S DIVISION, SMALL CLAIMS DEPARTMENT**

PLAINTIFFS INSTRUCTIONS:

1. Filing fee is \$35. The Claim, along with the Plaintiff's instructions need to be filed with the court. Please make sure both documents are signed.
2. The cost for service may vary from \$10 to \$25 per person depending on who you want to have serve the papers. The Sheriff's fee for service is \$20 per person.
3. The Defendant has 20 days from the date of service to file an Answer, it is the Plaintiff's responsibility to obtain a Default Judgement by filing an Affidavit of Competency and Amount Due. The Plaintiff also needs to attach copies of all relevant documents to the Affidavit for the court to review and file.
4. If the Defendant files an Answer within the 20 days, the case is scheduled for hearing and both parties are notified of the date.
5. If the Defendant's address is other than a street address, write the exact direction to locate the residence. If the Sheriff's office cannot find the Defendant from the directions noted, it will be returned as a "no found". At this time it will be dismissed without prejudice until a new address is found.
6. If you wish to have both husband and wife served, list them both and show them as husband and wife. You will be charged for service on two individuals.
Example: John Fisher, individually and as spouse
Mary Fisher, individually and as spouse
7. If a sole proprietorship, show the persons name first and state the dba (doing business as) on the second line.
Example: John Fisher, individually and dba Junk Pile
8. If a partnership, show the name of each partner to be served personally and then the name of the partnership. Judgement may only be entered against the person if they were the one served.
Example: John Fisher, individually and as partner
Coal House, a partnership
9. If a corporation, list the corporation as the defendant and person who is the registered agent.
Example: Junk Pile, a corporation
John Fisher, a registered agent
10. If the claim involves a juvenile, then state the name of the parents or legal guardians, as well as the juvenile.
Example: John & Mary Fisher guardians of Ken Fisher, a minor
11. The time and date of the hearing cannot be changed unless a written request is submitted to the Court for its approval at least seven days before the hearing date. The Plaintiff and Defendant are allowed one continuance each.
12. The form entitled "Plaintiffs Instructions" needs to be reviewed, signed and returned to the Small Claims clerk at the time you file your complaint. Your complaint will not be processed without this form.

I have read and acknowledge the foregoing:

DATE _____ Plaintiff _____

ATTEST _____