

SMALL CLAIMS WORKSHEET

VIRGIL TOWN COURT  
1176 CHURCH ST  
CORTLAND NY 13045

**GEOGRAPHIC JURISDICTION:** You must bring the action WHERE THE DEFENDANT RESIDES, is employed or has a place of business at the time you start action.

**MONETARY JURISDICTION:** up to \$3,000.00 - MONEY ONLY

**WHO CAN USE SMALL CLAIMS:** You must be an individual to use Small Claims. Corporation, Partnerships, Associations or Assignees cannot bring actions in Small Claims Court.

**AGE:** You must be 18 years or older to bring an action in Small Claims; otherwise, the action must be brought by a parent or guardian.

**COSTS:** Filing Fee - \$10.00 for claims equaling \$1,000.00 or less, and \$15.00 for claims exceeding \$1,000.00.

Both summonses will be mailed by the Court Office and copy will be mailed to you to notify you of date and time of the hearing - bring evidence and witnesses to hearing.

PLAINTIFF'S NAME: \_\_\_\_\_

PLAINTIFF'S ADDRESS: \_\_\_\_\_

TELEPHONE (HOME): \_\_\_\_\_ (WORK): \_\_\_\_\_

DEFENDANT'S NAME: \_\_\_\_\_

DEFENDANT'S ADDRESS: \_\_\_\_\_

EXACT AMOUNT OF CLAIM: \$ \_\_\_\_\_

**Claim:** (Include all pertinent information including descriptions, dates, address, etc):

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Date: \_\_\_\_\_ Signature of person starting claims: \_\_\_\_\_

**State of New York**

TOWN \_\_\_\_\_ COURT \_\_\_\_\_ CORTLAND \_\_\_\_\_ COUNTY

TOWN \_\_\_\_\_ OF \_\_\_\_\_ VIRGIL \_\_\_\_\_ SMALL CLAIMS PART No. \_\_\_\_\_

NOTICE TO DEFENDANT:

\* To: \_\_\_\_\_  
\* \_\_\_\_\_  
\* \_\_\_\_\_

TAKE NOTICE THAT \* \_\_\_\_\_ PLAINTIFF,  
asks judgment in this Court against you for \$ \* \_\_\_\_\_ together with costs,  
upon the following claim: \*

In agreement with which the Plaintiff hereby signs and demands Judgment.

\* \_\_\_\_\_  
Plaintiff Signature \_\_\_\_\_ and Address \_\_\_\_\_

There will be a hearing before the Court upon this claim on \_\_\_\_\_  
at \_\_\_\_\_ 5:30 \_\_\_\_\_ o'clock, \_\_\_\_\_ P. M., in the Small Claims Part of this Court, held at

**1176 CHURCH STREET, CORTLAND NY 13045 (VIRGIL)** YOU MUST APPEAR to present your defense, or to present any  
claim that you may have against the other party at the hearing described above. IF YOU DO NOT APPEAR IN PERSON OR  
BY AN ATTORNEY, JUDGMENT WILL BE ENTERED AGAINST YOU, EVEN THOUGH YOU MAY HAVE A  
DEFENSE. If your defense or counter claim is supported by witnesses, account books, receipts or other documents, you must  
bring them to the hearing. A counter claim cannot exceed \$2000.00 and must be for money damages ONLY. A notice must be sent to  
the Court Clerk prior to your hearing.

If you admit the claim but desire time to pay, you must appear personally on the day set for the hearing, state to the  
Court that you require time to pay and show your reason for same.

Dated: \_\_\_\_\_ 19 \_\_\_\_\_  
Justice - Court Clerk

NOTE: If you desire a jury trial, you must, before the day set for the hearing, file with the Justice or Clerk of the  
Court a written demand for a trial by jury. You must also pay to the Justice or Clerk a jury fee of \$6.00 and file an under-  
taking in the sum of \$50.00 or deposit such sum in cash to secure the payment of costs that may be awarded against you.  
You will also be required to make an affidavit specifying the issues of fact which you desire to have tried by jury stating that  
such trial is desired and demanded in good faith.

Under the law, the Court may award \$25.00 additional costs to the plaintiff if a jury trial is demanded by you and a  
decision is rendered against you.

Adjourn to \_\_\_\_\_, 19 \_\_\_\_\_, 19 \_\_\_\_\_, 19

\*PLEASE COMPLETE

**BRING THIS NOTICE WITH YOU.**

AFFIDAVIT OF SERVICE ON INDIVIDUAL(S)  
State of New York, County of \_\_\_\_\_

SS:

being duly sworn, deposes and says, that he resides at  
and that on the \_\_\_\_\_ day of \_\_\_\_\_, 19\_\_\_\_,

at No. \_\_\_\_\_, he served the within Notice on the defendant(s) therein

named, by delivering to and leaving a true copy of each thereof with said defendant(s) personally; deponent knew the said person(s) so served as aforesaid to be the same person(s) mentioned and described in said notice as the defendant(s) therein; deponent is over eighteen years of age and not a party to this action.

AFFIDAVIT OF SERVICE ON A CORPORATION  
State of New York, County of \_\_\_\_\_

SS:

being duly sworn, deposes and says, that he resides at  
and that on the \_\_\_\_\_ day of \_\_\_\_\_, 19\_\_\_\_,

at No. \_\_\_\_\_, he served the within Notice on

a \_\_\_\_\_ Corporation, the defendant therein named by delivering to and leaving a true copy of each thereof personally with \_\_\_\_\_ an officer of

said corporation, to wit, its deponent knew said corporation so served as aforesaid to be the same corporation mentioned and described in said notice as the defendant therein, and knew said to be an officer thereof at that time; deponent is over eighteen years of age and not a party to this action.

I asked the defendant whether defendant was in active military service of the United States or the State of New York in any capacity whatever. Defendant told me defendant was not. Defendant wore ordinary civilian clothes and no military uniform. The source of my information and the grounds of my belief are the conversations and observations as narrated.

Upon information and belief I aver that the defendant is not in the military service of New York State or of the United States as that term is defined in either the State or in the Federal statutes.

The person so served was male / female

Color of skin \_\_\_\_\_

Approximate weight \_\_\_\_\_ Pounds

Hair color \_\_\_\_\_

Approximate height \_\_\_\_\_ ft. \_\_\_\_\_ in.

Approximate age \_\_\_\_\_

Sworn to me this \_\_\_\_\_ day of \_\_\_\_\_ 19\_\_\_\_

Notary Public - Justice

STATE OF NEW YORK

County \_\_\_\_\_  
Court \_\_\_\_\_

of

PLAINTIFF

against

DEFENDANT

Notice To Defendant  
Small Claims Court

Filed this \_\_\_\_\_ day \_\_\_\_\_

of \_\_\_\_\_, 19\_\_\_\_

Judge - Justice