

Justice Court

Justice Court is a judicial forum to hear and decide civil cases involving claims in the amounts of \$10,000.00 or less. The person filing the suit is known as the Plaintiff. The person being sued is called the Defendant. The Plaintiff will fill out a sworn petition and pay a filing fee and service fee called the "court costs" when filing the case. The Plaintiff will need to provide the correct name of the Defendant, he/she is filing against, a physical address where the Defendant can be served their petition and citation, the amount of money filed for, and the reason for the suit. The Plaintiff will also have to determine which case type to file.

The filing fee is Civil Suits is \$51.00 and for Evictions is \$46.00. The service fee is \$70.00 for serving one Defendant in Jefferson County, each additional Defendant will be \$70.00 more. (If they live in another county, the service fee could be different.)

The clerk prepares a Citation and sends it to the proper Constable for service. It takes about 6-8 weeks to serve the defendant, (sometimes a little longer, if it is going to an out of county constable). As soon as the Constable returns the citation to the court, the clerk will call the Plaintiff and inform them of the court date. Prior to the Court notifying you, it is your responsibility to keep in touch with the court regarding your case (you should provide a case number or the names of the parties as filed-called the "Style" of the Case.

Answer dates are generally on Mondays at 10:00 A.M., except for Eviction cases. The Defendant's citation has information to let him know when and where he is to appear in court or where to file a denial in the suit.

If the Defendant chooses not to appear, a Default Judgment may be granted against them. If Judgment is found for the Plaintiff, the Judgment will include the Court Costs paid to file the case. Please do not include the amount of costs in the amount you are filing for.

In the State of Texas, there is no guarantee that you will collect the Judgment from your Defendant.

If the Defendant has not satisfied the Judgment with the Plaintiff, the Plaintiff may file for an 'Abstract of Judgment' 21 days after Judgment, at the cost of \$5.00 payable to the court, which puts a lien against any real property (such as their house or any land the Defendant may own) for 10 years and is renewable every 10 years. The Plaintiff will file the Abstract of Judgment with the County Clerk's office. You should call the County Clerk's office for the filing fee. This abstract may be filed in as many counties as the Defendant owns property in. Once the Judgment has been satisfied, the Plaintiff should remove the Abstract by filing a 'Release of Judgment' with the County Clerks office.