

\_\_\_\_\_  
Name

\_\_\_\_\_  
Address

\_\_\_\_\_  
City, State, Zip

\_\_\_\_\_  
Phone

\_\_\_\_\_  
Email

I am  Plaintiff or employee of plaintiff  Plaintiff's Attorney (Utah Bar #: \_\_\_\_\_)

In the Duchesne County Justice Court of Utah

8th Judicial District, Duchesne County

799 E 1260 N, Duchesne, Utah 84021

<p>_____ Plaintiff v. _____ Defendant</p>	<p><b>Small Claims Affidavit and Summons</b> Online Dispute Resolution Case</p> <p>_____ Case Number</p> <p><u>E. Jed Labrum</u> Judge</p>
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This form is for small claims cases filed in justice courts using Online Dispute Resolution **only**. Forms for all other justice courts can be found here: [www.utcourts.gov/howto/smallclaims/](http://www.utcourts.gov/howto/smallclaims/)

1. Defendant owes me the following amounts:

Claim described in paragraph 2.

(Include any prejudgment interest accrued to date and applicable attorney fees. Attach statute or contract authorizing claim for attorney fees.)

\$ \_\_\_\_\_

Plus, the amount I paid to file this claim.

\$ \_\_\_\_\_

Plus, the amount I paid to serve claim.

\$ \_\_\_\_\_

Equals, the total amount I am seeking

\$ \_\_\_\_\_

plus prejudgment interest, if qualified.

2. The events happened on \_\_\_\_\_ (date).

My claim is based on the following facts:

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3. Choose one:

Defendant resides within the jurisdiction of the court.

The events happened within the jurisdiction of the court..

4.  I am not suing a government entity. I am not suing a government employee for the employee's on-the-job conduct.

5.  I am not suing on a claim that has been assigned to me.

I declare under criminal penalty under the law of Utah that everything stated in this document is true.

Signed at \_\_\_\_\_ (city, and state or country).

\_\_\_\_\_  
Date

Signature ► \_\_\_\_\_

Printed Name \_\_\_\_\_

## Summons

To:

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Defendant Name and Address

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Defendant Name and Address

### Notice to the Defendant

This court uses online dispute resolution (ODR) to settle small claims cases.

- Within **14** days of receiving this Affidavit, you must register at <https://pubapps.utcourts.gov/OnlineDisputeResolutionWEB> to try to settle this case.
- **If you do not register within 14 days**, judgment may be entered against you for the total amount claimed. The plaintiff could garnish your paycheck or take your property to pay the debt.
- If you are unable to participate in the online process, see below.

In this small claims case, instead of going to trial at the courthouse at a specific date and time, you and the plaintiff will work with a third person (facilitator) to reach a solution. A facilitator is a neutral person trained to help people resolve disputes.

A small claims case has been started against you.

#### Read the Affidavit

The Affidavit explains what the other party is asking for. Read it carefully.

- Register for Online Dispute Resolution (ODR)
- Within 14 days of receiving the Affidavit, go to [www.utcourts.gov/smallclaimsodr](http://www.utcourts.gov/smallclaimsodr) and register for ODR.

Se ha iniciado un caso de reclamos menores contra usted.

#### Lea la declaración jurada

La declaración jurada explica lo que la otra parte está pidiendo. Léala detenidamente.

- Inscripción a la Resolución de disputas por internet(ODR, por sus siglas en inglés)
- Dentro de 14 días después de haber recibido la declaración jurada, ingrese a [www.utcourts.gov/smallclaimsodr](http://www.utcourts.gov/smallclaimsodr) e inscribese a ODR.

- To register, you will need the case number and your name as it is listed on the Affidavit to access your case.

- After you register, a small claims facilitator will be assigned to your case. There are several possible outcomes:

- If you agree you owe the plaintiff money and you agree on the amount owed, the facilitator can help you set up a payment plan.
- If you agree you owe the plaintiff money but disagree about the amount owed, the facilitator can help you come to an agreement on the amount owed.
- If you don't settle, you still have the right to go to trial.

#### **Asking to be excused from ODR**

If you:

- need ADA assistance,
- don't speak English, or
- don't have internet access,

you can ask the court to be excused from the ODR requirement.

Call the court and ask for the forms. You must fill out the forms and return them to the court within 7 days of being served this document.

#### **Trial**

If you can't come to an agreement with the facilitator's help, or if you have been excused from ODR, the case will be

- Para inscribirse necesitará el número de caso y su nombre tal como figura en la declaración jurada para acceder a su caso.

- Después de que se inscriba, se asignará un facilitador de reclamos menores a su caso. Existen varios resultados posibles:

- Si acepta que le debe dinero al demandante y usted está de acuerdo con el monto adeudado, el facilitador puede ayudarle a establecer un plan de pago.
- Si acepta que le debe dinero al demandante pero usted no está de acuerdo con el monto adeudado, el facilitador puede ayudarle a llegar a un acuerdo sobre el monto adeudado.
- Si no llegan a un acuerdo, usted todavía tiene derecho a ir a juicio.

#### **Solicitud para que se le exima de ODR**

Si usted:

- necesita ayuda de ADA,
- no habla inglés, o
- no tiene acceso al internet,

puede pedirle al juez que se le exima del requisito de ODR.

Llame al tribunal y solicite los formularios. Deberá completar los formularios y devolverlos al tribunal dentro de 7 días de recibido este documento.

#### **Juicio**

Si no puede llegar a un acuerdo con la ayuda del facilitador o si ha sido eximido de ODR, el caso será programado para un juicio.

scheduled for trial.

The court will notify you of the date, time, and place of the trial.

If you do not go to the trial, the court can enter a judgment against you for the total amount requested in this Affidavit.

### **Right to Jury Trial**

If you want to have a jury trial in this case, you must file documents to remove the case to district court. See the Small Claims web page for information about that process, and forms:

[www.utcourts.gov/howto/smallclaims/#removal2](http://www.utcourts.gov/howto/smallclaims/#removal2).

### **Finding help**

The court's Finding Legal Help web page ([www.utcourts.gov/howto/legalassist/](http://www.utcourts.gov/howto/legalassist/)) provides information about the ways you can get legal help, including the Self-Help Center, reduced-fee attorneys, limited legal help and free legal clinics.

El tribunal le notificará la fecha, hora y lugar del juicio.

Si usted no se presenta al juicio, el juez puede dictar un fallo en su contra por el monto total solicitado en la declaración jurada.

### **Derecho a juicio por jurado**

Si desea tener un juicio por jurado para este caso, deberá presentar documentos para transferir el caso al tribunal de distrito. Vea la página de internet sobre Reclamos menores para obtener información sobre ese proceso y los formularios:

[www.utcourts.gov/howto/smallclaims/#removal2](http://www.utcourts.gov/howto/smallclaims/#removal2).

### **Cómo encontrar ayuda**

La página de internet del tribunal sobre Cómo encontrar ayuda legal

([www.utcourts.gov/howto/legalassist/](http://www.utcourts.gov/howto/legalassist/)) proporciona información sobre las formas en que puede obtener ayuda legal e incluye lo siguiente: el centro de ayuda, abogados con tarifas reducidas, asistencia legal limitada y talleres legales gratuitos.

Date: \_\_\_\_\_

Signature ► \_\_\_\_\_

Court Clerk \_\_\_\_\_