

## About the Report Card

**HALT's Small Claims Report Card** compares and evaluates the state of small claims court systems around the country. HALT's survey was conducted by telephone in ten counties in each state (the four most populated counties and six other randomly selected counties) between September and November 2001. Staff asked small claims court clerks or personnel to answer specific questions in nine categories (*listed below*). The data from each of the ten counties were averaged for each category resulting in an overall "category" grade for that state. HALT then assigned a final overall grade to the state based on the nine category grades. A copy of the small claims report card for all fifty states and the District of Columbia is available online at [www.halt.org](http://www.halt.org).

HALT asked small claims court clerks and personnel the following questions:

**Dollar Limit**—What is your small claims court's dollar limit (the maximum amount of money for which you can sue in small claims court)?

**Injunctive Relief**—Are judges given the authority to decide cases other than by awarding money (for example, by ordering parties to do something or refrain from doing something)?

**Help with Collecting a Judgment**—Does the court provide assistance to those who win their cases and are now trying to collect their judgments (for example, by setting up a payment plan, garnishing wages or some other collection plan)?

**Small Claims Advisors**—Does the court have employees whose specific job is to help litigants take their small claims cases through court by answering questions, providing the right forms, and giving other helpful directions?

**Extended Courtroom Hours**—In addition to the regular business hours of 9 to 5, Monday thru Friday, does the court hold sessions on evenings or weekends?

**Guides & Simplified Forms**—Does the court distribute information that explains how the court system works and how to file a case? Does the court use filing forms that are easy for nonlawyers to read and complete?

**Low Filing Fees**—What are the court's filing fees? Do these fees include service of process?

**Encourages Self-Representation**—Does the court prohibit lawyers from the courtroom? If not, does it strongly discourage their involvement?

**Uses Mediation**—Does the court refer cases to mediation (either inside or outside of the courthouse) as a first step to resolving these disputes? Is mediation mandatory or voluntary? Is it free or do users have to pay?

### GRADING SCALE

The following are the grading criteria for each category. The number in brackets after each category is the percent of the overall grade comprised of that category. In computing averages, each letter grade from A to F corresponded to a number from 4 to 0. ("Plus" grades add one-half point to the number grade.) In computing the overall grade, letters were assigned based on the following scale: A = 3.5-4.0, B = 3.0-3.4, B- = 2.5-2.9, C = 2.0-2.4, C- = 1.5-1.9, D = 1.0-1.4, F = 0-0.9.

#### **Dollar limit** [30%]

A = 10,000 and greater  
B+ = 8,000-9,999  
B = 5,000-7,999  
C+ = 4,000-4,999  
C = 3,000-3,999  
D = 2,000-2,999  
F = less than 2,000

#### **Injunctive relief** [10%]

A = full equitable powers  
C = some equitable powers  
D = extremely limited equitable powers  
F = no equitable powers

#### **Help with collecting a judgment** [10%]

A = court provides assistance with the collection process  
F = no assistance available

#### **Small claims advisors** [10%]

A = advisors available  
F = no advisors

#### **Extended courtroom hours** [10%]

A = three or more evening/weekend sessions per month  
B = two sessions  
C = one session  
F = no extended hours

#### **Guides and simplified forms** [10%]

A = both guide and simplified forms available  
C = either guide or simplified forms available  
F = neither guide nor simplified forms available

#### **Low filing fees (for \$1,000 claim)** [5%]

A = \$15 or less  
B = 16-30  
C = 31-45  
D = 46-60  
F = 61 or more

*Note: In calculating grades, HALT subtracted \$15 from filing fee when cost of filing includes service of process.*

#### **Encourages self-representation** [5%]

A = attorneys prohibited  
B = attorneys allowed only if both parties agree  
C = business may be represented by attorney; party opposing business may have attorney if business has one  
D = business must be represented by attorney  
F = attorneys required for all parties

#### **Uses mediation** [10%]

A = mandatory  
B = optional and free  
C = optional and paid  
F = not available

## About HALT

**HALT—An Organization of Americans for Legal Reform** pursues an aggressive education and advocacy program that challenges the legal establishment to improve access and to reduce costs in the civil justice system. HALT is known for its extensive collection of self-help law books and its advocacy to hold the legal profession accountable.

**HALT**

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