

**IN THE DISTRICT COURT OF SPOKANE COUNTY WASHINGTON  
SMALL CLAIMS NOTICE OF CLAIM - COUNTERCLAIM**

**Small Claim Case #:**

PLAINTIFF'S NAME			PLAINTIFF'S NAME		
Doing Business As – <i>list Company Name if applicable</i>			Doing Business As – <i>list Company Name if applicable</i>		
ADDRESS			ADDRS		
CITY	STATE	ZIP	CITY	STATE	ZIP
EMAIL			EMAIL		
CELL/HOME PHONE	WORK PHONE		CELL/HOME PHONE	WORK PHONE	

**V.**

DEFENDANT'S NAME			DEFENDANT'S NAME		
Doing Business As – <i>list Company Name if applicable</i>			Doing Business As – <i>list Company Name if applicable</i>		
ADDRESS			ADDRES		
CITY	STATE	ZIP	CITY	STATE	ZIP
EMAIL			EMAIL		
CELL/HOME PHONE	WORK PHONE		CELL/HOME PHONE	WORK PHONE NO	

**TO THE PLAINTIFF(S):**

**YOU ARE HEREBY NOTIFIED** the above-named **DEFENDANT** has filed a **COUNTERCLAIM** for money damages against you in this Court. See page 2 for reasons for the claim and amount of damages **Defendant** is seeking

**TO THE PARTIES:**

**YOU ARE HEREBY NOTIFIED** to appear for **TRIAL ON:** \_\_\_\_\_ at \_\_\_\_\_ a.m./p.m. at:

- Spokane District Courtroom 203, BROADWAY CENTER BLDG., 721 N. Jefferson, Spokane, WA
- Spokane District Courtroom **VALLEY COURT**, 12710 E. Sprague, Spokane Valley, WA

INSTRUCTIONS for appearing for the TRIAL/HEARING BY **ZOOM** are on page 3.

If the **Plaintiff fails to appear**, judgment may be entered **against the Plaintiff** on the **COUNTERCLAIM**.

If the **Defendant fails to appear**, the Defendant's **COUNTERCLAIM** will be dismissed by the Court.

CLERK: \_\_\_\_\_

## DEFENDANT'S STATEMENT OF COUNTERCLAIM

The REASON(S) I Claim the PLAINTIFF Owes Me Money:		
<input type="checkbox"/> Landlord Claim against Tenant	<input type="checkbox"/> Property Damage ( <i>not vehicle</i> )	<input type="checkbox"/> Vehicle was Not Properly Repaired
<input type="checkbox"/> Tenant Claim against Landlord	<input type="checkbox"/> Item Purchased Does Not Work	<input type="checkbox"/> Vehicle Not Repaired
<input type="checkbox"/> Services Not Properly Performed	<input type="checkbox"/> Item Not As Advertised/Warranted	<input type="checkbox"/> Vehicle Repair Not Paid
<input type="checkbox"/> Services Performed but Not Paid	<input type="checkbox"/> Business Transaction Issue	<input type="checkbox"/> Vehicle was Damaged
<input type="checkbox"/> Faulty Workmanship	<input type="checkbox"/> Wages Not Paid	<input type="checkbox"/> Vehicle Damaged in Accident
<input type="checkbox"/> Loan was Not Re-Paid	<input type="checkbox"/> I Was Injured ( <i>personal injury</i> )	<input type="checkbox"/> Purchase/Sale of Vehicle
<input type="checkbox"/> Breach of Contract		<input type="checkbox"/> Vehicle Claim against Insurance Co.
<input type="checkbox"/> Other: ( <i>be specific</i> ) _____		

**LIST EACH ITEM and AMOUNT of MONEY DAMAGES YOU ARE SEEKING from the PLAINTIFF**

*You must provide Notice of the items you are seeking damages for and provide evidence at the hearing for each item you want money damages for – failure to list items you want money for may result in the Court not considering those items*

Description of Item Damaged or Owed:	Amount Claiming:	Date of Incident or Damage:
	\$	
	\$	
	\$	
	\$	
	\$	
	\$	
	\$	
	\$	
	\$	
	\$	

I am the DEFENDANT in this matter. I declare that the Plaintiff named above owes me the sum of \$ \_\_\_\_\_.  
*(don't include the cost to file and serve). YOU CANNOT INCREASE THIS AMOUNT AT TRIAL.*

I declare under penalty of perjury under the laws of the state of Washington that the foregoing is true and correct.

Signed in Spokane, Washington on \_\_\_\_\_ [Date].

\_\_\_\_\_  
Signature of Plaintiff (1)

\_\_\_\_\_  
Print or Type Name

\_\_\_\_\_  
Signature of Plaintiff (2)

\_\_\_\_\_  
Print or Type Name

### DEFENDANT'S COUNTERCLAIM Obligations

The Defendant must arrange for **service** of this 4-page Notice of Small Claim COUNTERCLAIM document on the Plaintiff and file the completed **SMALL CLAIMS RETURN OF SERVICE** form with the Court **prior** to the hearing. See RCW 12.40.040, RCW 4.28.080.

***The Defendant cannot serve or mail the counterclaim and cannot complete the Return of Service.***

Service of this 4-page Notice of Small Claim document can be done by:

- Any person over the age of 18 who is not a witness or a party in the case
- The Sheriff's Office
- A process server
- Mailing by Registered or Certified Mail - a copy of this 4-page Notice of Small Claim with return receipt requested. Service by mailing is only **valid** if the Defendant signs the return receipt and it is filed with the court.

The Notice of Claim **must be served** on the Defendant not less than **10 days before the trial date**.

## HEARING Instructions and Restrictions for the Plaintiff and the Defendant

### 1. HOW MUCH TIME WILL I HAVE TO PRESENT MY CASE?

Each side will have a total of about **ten minutes to present your case** so you **must** organize your arguments and exhibits before trial. The hearing and disposition of the actions shall be informal, with the *sole object of dispensing speedy and quick justice between the litigants.* RCW 12.40.090.

### 2. YOU CAN APPEAR AT THE HEARING BY ZOOM at the assigned court as follows:

**YOU MUST notify** the Civil Court Clerk that you are **appearing by Zoom 5 days prior to the hearing**, and follow instructions on exhibit/document filing on next page. (*Clerk to note Zoom appearance in JIS.*)

Link to join BROADWAY CENTER COURT 203 Zoom Meeting:

<https://zoom.us/j/93159852440?pwd=QnRhMDZ5SGFJanlWVHNpbFZXNFJSQT09>

Meeting ID: 931 5985 2440 Password: 539245 One tap mobile +12532158782,,93159852440#,,1#,539245# US (Tacoma)

Link to join VALLEY COURT Zoom Meeting:

<https://zoom.us/j/98177953528?pwd=amh4aGEwZWsvWNYZnB3YnMxK0Rsdz09>

Meeting ID: 981 7795 3528 Password: 708237 One tap mobile +12532158782,,98177953528#,,1#,708237# US (Tacoma)

### 3. WHAT IS AN EXHIBIT?

Exhibits are document(s) you present to the Court to help prove your side of the case.

**EACH SIDE IS LIMITED TO 20 PAGES OF EXHIBITS** (contracts or rental agreements/leases do not count towards the 20-page limit and should be filed with the Court Clerk 5 days before the hearing).

Do not refile this claim document or the Return of Service as exhibits.

Examples of Exhibits you may want to file to support your case:

Contracts	Photographs	Estimates	Text Messages
Leases	Diagrams	Bills/Receipts	Emails
Rental Agreements	Reports	Invoices	Letters/correspondence

The Court will rarely have time to view/consider **videos**. Submitting screenshots from a video as exhibits is preferable to submitting a video. If a video is absolutely necessary to prove your case, it must be **edited** to about a minute in length, **must** be filed with the Court, and served on the opposing side two days **prior** to the hearing.

**\*\*Exhibits will be scanned into the court file after the hearing\*\***

### 4. HOW SHOULD I ORGANIZE MY EXHIBITS?

Number your Exhibit packet pages 1 to 20. **\*\*DO NOT STAPLE or use a folder/binder for exhibits\*\***

To help the Court understand your case you can provide a cover sheet to the exhibits that:

- (1) corresponds to each of the reasons listed in the Statement of Claim as the reason money is owed,
- (2) the amount of damages connected to that reason, and
- (3) the page numbers of the exhibits that support that claim for money damages.

Description of Item Damaged or Owed:	Amount Claiming:	Corresponding Exhibit Name & Page #
	\$1,000	Car Repair Bill, page 1 Receipt of repair payment, page 2

Damage to my car in car accident when Defendant's car hit my car		Value of Car, page 3 Pictures of Car Damage, pages 4, 5
Cost of Having Car Towed	\$400	Towing Bill, page 6 Receipt Tow Payment, page 7

## 5. HOW MANY SETS OF EXHIBITS ARE REQUIRED?

**THREE (3) exact identical complete sets** of exhibits with **pages numbered 1 to 20 (max. pages allowed)**.

1. Court/Judge copy
2. Opposing Party copy
3. Your copy

**PRIOR TO THE START OF THE DOCKET ON THE DAY OF TRIAL** you must give the Judicial Assistant in the courtroom the Exhibit packets for the judge and the opposing side. (You can drop these off to the Court clerk prior to the trial date.)

**If you or the other side are appearing by ZOOM you MUST:**

Drop off or mail: (1) the Court's copy of the Exhibit packet to the Civil Clerk, and (2) mail or drop off to the Opposing side's Exhibit packet to the opposing side so each packet arrives 2 days **prior to trial**.

**DO NOT WAIT** until the hearing to **ORGANIZE** your exhibits.

*[Copies may be obtained through the Clerk's Office at a cost of 50 cents per page]*

## 6. HOW TO PREPARE YOUR EXHIBITS (OR FORMAT THEM)

- **Number Each Page** at the bottom right corner (maximum of 20 pages is permitted).
- **Highlight portions or write notes** beside the part of the page you want Court to focus on.
- **Paper Size Restrictions:** All exhibits must be on **8.5 x 11 inch paper**.
- You can put multiple smaller documents/texts/photos on one page and add notes beside each item to explain what you want to draw the Court's attention to in the exhibit.
- Text messages (or photographs) **must be printed** (*screen shots are fine*); *please put multiple screen shots/photos on a page and only include necessary texts/photos*.
- The original document is not required to be filed.
- **Confidential Information:** You must **redact (black out) any confidential information** (i.e., bank account, social security, and driver's license numbers). Filed documents are PUBLIC RECORDS.

## 7. RETRIEVING YOUR EXHIBITS AFTER TRIAL

Exhibits will be held for a **30-day appeal period**.

If no appeal is filed, Exhibits can be picked up **after 30 days** and must be picked up before 60 days.

**Exhibits not picked up WILL BE DESTROYED WITHOUT FURTHER NOTICE**

If the **Defendant FAILS TO APPEAR**, judgment may be entered against the Defendant (after a default hearing) and can include the \$35 filing fee and the cost of service.

If the **Plaintiff FAILS TO APPEAR**, the Plaintiff's claim will be **dismissed** by the Court.

**SETTLEMENT:** If this claim is **settled** prior to the hearing date, the PLAINTIFF must notify the Court and the opposing side **immediately** in writing so the Court can dismiss the case and cancel the court date - emailing the Court at [DCCIVIL@SPOKANECOUNTY.ORG](mailto:DCCIVIL@SPOKANECOUNTY.ORG) to notify of settlement is sufficient (you must copy the opposing side on the email to the Court).

**Staff and the judge cannot give you legal advice.**

*For more information on Small Claims filing and processes you must do your own research or consult a lawyer.*

*See also, RCW 12.40, RCW 3.66, RCW 4.16., and RCW 36.18.*

*Additional information available at [www.spokanecounty.org/2847/Civil-and--Small-Claims-Cases](http://www.spokanecounty.org/2847/Civil-and--Small-Claims-Cases)*