



BEING SUED? WHAT YOU NEED TO KNOW

Presented By



LOS ANGELES COUNTY
**CONSUMER &
BUSINESS AFFAIRS**



BEING SUED?

**WE WILL DISCUSS THE OPTIONS &
REQUIREMENTS AVAILABLE TO THE
PARTY BEING SUED IN A SMALL CLAIMS
CASE.**



TOPICS COVERED

- Discovering You are Sued
- Contact the Party Who Sued
- Register for LASC Online Dispute Resolution (ODR)
- Request Dismissal
- Challenge the Venue
- Request a Postponement
- The Defendant Sues the Plaintiff
- Defendant Appears at the Hearing



DISCOVERING YOU ARE SUED

Served by a Sheriff, Registered Process Server, or 3rd Party

May be served personally at home or work

May be substitute served (person lives or works with you)

CONTACT THE PARTY WHO SUED

Utilize the LASC Online Dispute Resolution (ODR) to resolve

Pay the party suing & have them submit a Request for Dismissal (CIV-110)

Submit a Defendant's Claim (SC120) if the party suing owes you money

COUNTY OF LOS ANGELES

**NOTICE OF ONLINE DISPUTE RESOLUTION (ODR)
MEET AND CONFER – SMALL CLAIMS**

CASE NUMBER:

TO EACH PARTY AND TO THE ATTORNEY OF RECORD, IF ANY, you are hereby notified that:

Beginning February 23, 2021 and thereafter, each Plaintiff and each Defendant must register for LASC Online Dispute Resolution (ODR) – Small Claims within five (5) calendar days of receipt of this Notice at <https://my.lacourt.org/odr/small-claims>.

ODR helps parties reach agreements to settle their case online, by computer, without phone calls or meetings. Each party is ordered to participate in good faith online discussions aimed at reaching a settlement through the ODR website.

The deadline for reaching an agreement is two (2) court days before the hearing or trial date.

If all parties agree on a settlement by their ODR deadline, ODR will help you electronically file the required forms with the court at no charge and you will not have to attend your court hearing or trial.

If all parties cannot agree on a settlement by their ODR deadline, all parties must attend the scheduled hearing or trial. Parties may appear remotely. <https://my.lacourt.org/laccwelcome> See LASC CIV 278 – Exchange and Submission of Evidence (Small Claims).

TO REGISTER FOR ODR:

Go to <https://my.lacourt.org/odr/small-claims>

You will need your Case Number and the "Plaintiff's Claim and ORDER to Go to Small Claims Court" (Form SC 100).

This ODR website also provides important information about the ODR process and resources.

**REGISTER
FOR LASC
ONLINE
DISPUTE
RESOLUTION
(ODR)**

REQUEST DISMISSAL

Defendant wants to be dismissed or have the entire case dismissed:

- ☐ **Defendant makes the request by submitting the form, Request for Court Order and Answer (SC-105)**
- ☐ **SC-105 must be filed with the Court and mailed the other parties in the case**

Some reasons to request a dismissal are:

- ☐ **Defendant believes that the Plaintiff mistakenly sued the wrong party**
- ☐ **Defendant has been sued by the same Plaintiff for the same issue before**

CHALLENGE THE VENUE

If the Defendant believes they are being sued in the wrong County or court location:

- ☐ Defendant can submit a venue challenge letter
- ☐ Send the original letter to the court & a copy to all the other parties at least 15 days prior to the hearing date

****When the Defendant challenges the venue, the Defendant does not have to attend the court hearing****

CCP 116.370

VENUE CHALLENGE LETTER **California Code of Civil Procedure 116.370**

Date: _____ Case Number: _____

Plaintiff: _____ VS Defendant: _____

From: _____

Dear Judge/Commissioner:

I believe that the case against me has been filed in the incorrect

☐ venue (county)

☐ court location (within the correct county)

for the following reason(s):

The appropriate venue/court location for this case is:

In accordance with CCP 116.370, I request that the case be dismissed or transferred to the correct court location, as appropriate. All other parties to this case have been notified of this request.

Should this request be denied, and all parties are not present at the scheduled hearing, the court shall postpone the hearing for at least 15 days and shall notify all parties by mail of the court's decision and the new hearing date, time, and place (CCP 116.370).

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Sincerely,

Print Name

Sign Name

REQUEST A POSTPONEMENT

If the Defendant is unable to attend the hearing:

- ☐ **Request to Postpone Trial (SC-150)**
--> follow instructions on form
- ☐ **Proof of Service by Mail (SC-112A)**



THE DEFENDANT SUES THE PLAINTIFF

The Defendant wants to sue the Plaintiff for money owed in another matter:

- ☐ **Defendant can file a Defendant's Claim (SC-120)**
- ☐ **Defendant can initiate their own lawsuit by filing their own Plaintiff's Claim (SC-100)**
- ☐ **Defendant wants to countersue for more than the small claims maximum → Application and Order for Transfer (Small Claims)(SCLA 014)**

DEFENDANT APPEARS AT THE HEARING

To appear remotely: <https://my.lacourt.org/laccwelcome>

- ☐ Must register prior to court date
- ☐ Defendant can submit a venue challenge letter
- ☐ May appear by telephone (\$15) or by video (\$23)

Evidence must be submitted at least 10 days prior to the date of the hearing:

- ☐ LASC CIV 278 (Exchange and Submission of Evidence)
- ☐ LASC CIV 279 (Small Claims Mailing Label)

Instructions outlined on page 2 of the form LASC CIV 278

Thank you for attending!

FOR ADDITIONAL INFORMATION ABOUT SMALL CLAIMS:

[HTTPS://DCBA.LACOUNTY.GOV/SMALL-CLAIMS/](https://dcba.lacounty.gov/small-claims/)

The screenshot shows the DCBA Small Claims website. The navigation bar at the top includes links for CONSUMERS, SMALL BUSINESS, TENANTS & LANDLORDS, FINANCIAL EMPOWERMENT, MINIMUM WAGE, and SMALL CLAIMS. The 'SMALL CLAIMS' link is circled in blue. On the left, there is a large black box with the text 'CONSUMER PROTECTION' and 'Take action to protect your'. The main content area is divided into three columns: 'I WANT TO SUE' (with links for How to Sue, Who to Sue, Judgment, and App), 'I AM BEING SUED' (with links for What to Do, Countersuing, and Judgment), and 'RESOURCES' (with links for LA-ODR (TurboCourt), Forms: Before Your Case, Forms: After Your Case, Sample Forms, and Videos & Webinars). A red YouTube logo with the word 'YouTube' is overlaid on the bottom left, with an orange arrow pointing from it to the 'Videos & Webinars' link in the Resources column.

CONSUMERS SMALL BUSINESS TENANTS & LANDLORDS FINANCIAL EMPOWERMENT MINIMUM WAGE **SMALL CLAIMS**

I WANT TO SUE

- How to Sue
- Who to Sue
- Judgment
- App

I AM BEING SUED

- What to Do
- Countersuing
- Judgment

RESOURCES

- LA-ODR (TurboCourt)
- Forms: Before Your Case
- Forms: After Your Case
- Sample Forms**
- Videos & Webinars

CONSUMER PROTECTION

Take action to protect your

YouTube

