



# SUPERIOR COURT OF CALIFORNIA, COUNTY OF SAN DIEGO

## PRE-TRIAL CHECKLIST – SMALL CLAIMS TRIALS REMOTE AND IN-PERSON APPEARANCES

This document provides information to assist parties who will be appearing remotely or in-person for a small claims trial.

- SERVE the Plaintiff’s Claim and Order to Go to Small Claims Court (JC Form #SC-100) or Plaintiff’s Claim and Order to Go to Small Claims Court (COVID-19 Rental Debt) (JC Form #SC-500) on each named defendant. The most common ways to serve a party include:**
  - Option 1 – Pay the court a fee to mail the claim by Certified Mail. See the court’s Fee Schedule (SDSC Form #ADM-001) for the fee amount. *Note: This is not a guaranteed method of service, and the fee is not refundable.*
  - Option 2 – Have any individual at least 18 years-of-age, and not a party to the lawsuit, to serve one copy of the claim and the Notice of Case Assignment to EACH named defendant.
  - Option 3 – Hire a professional process server to perform service.
- COMPLETE and file the Proof of Service in the court’s business office, not through the Exhibit Upload Application, a minimum of five days prior to the trial.**
  - A separate Proof of Service MUST be filed for EACH named defendant.
  - For additional information, see What is “Proof of Service”? (JC Form #SC-104B).
  - For ANY additional questions about service of process, contact the Small Claims Legal Advisor at (858) 634-1777.

**If you are UNABLE TO SERVE the defendant, see Information for Small Claims Parties (SDSC Form #SC-026) for information regarding how to request a reset or continuance of the trial date. For any additional questions, contact the Small Claims Legal Advisor at (858) 634-1777.**

- REQUEST an interpreter in advance of the hearing.**
  - If an interpreter is needed for a small claims hearing, complete the Interpreter Request/Cancellation Form (SDSC Form #ADM-348) as far in advance of the hearing as possible. The form can be brought to the business office during business hours or mailed to the court location noted on the paperwork. The court will try to schedule an interpreter for the date and time of the hearing at no cost, but cannot guarantee that one will be available. Failure to provide the court with adequate notice may result in the matter being continued.
- PUT TOGETHER and ORGANIZE all documents that will be used as exhibits for the case.**
  - Trial exhibits must be exchanged with all parties named in the case at least 10 days prior to the scheduled trial date. Failure to exchange exhibits with all parties may result in the court not considering the items at the trial.
  - Trial exhibits may be submitted to the court by any of the following methods:
    - Electronically using the Exhibit Upload Application. For more information on how to submit exhibits electronically, visit the court’s website at [www.sdcourt.ca.gov](http://www.sdcourt.ca.gov); click on Online Services, Appearing for Hearings, and then Small Claims Hearings.

NOTE: When submitting exhibits via the Exhibit Upload Application, attachments are restricted to 20 MB. If the file is larger than 20 MB, hard copies must be sent via U.S. Mail to the court. Exhibits submitted via the Exhibit Upload Application **MUST** be in the format listed below. Exhibits submitted in any other format **WILL NOT** be accepted.

Exhibit Type	Format
Text	.txt (ASCII characters only)
PDF	.pdf
Word	.doc, .docx
Image	.png, .jpg, .jpeg
Video	.mp4

- By U.S. mail addressed to the court location at which the case is assigned. Include a cover sheet with your name, the case number, case name, and hearing date. Include a self-addressed, stamped envelope large enough to return the exhibits.
- By depositing the exhibits in the Central Small Claims Business Office drop box. Include a cover sheet with your name, the case number, case name, and hearing date. Include a self-addressed, stamped envelope large enough to return the exhibits.
- Trial exhibits may be brought to court if appearing at the trial in-person.

- Exhibits that are submitted electronically, by mail, or by drop box, must be submitted to the court **at least 10 days before the scheduled trial date. DO NOT SEND ORIGINAL DOCUMENTS. Exhibits will not be returned. Exhibits submitted less than 10 days before the trial may result in the judicial officer not considering the items.**

**Note: Exhibits should not be submitted at the time of filing a new claim. Exhibits received without a trial date having been scheduled will not be accepted. The court will only accept exhibits for cases that have a trial date scheduled.**

- Pursuant to SDSC Local Rule 2.5.6, "...Exhibits must be legible and complete, and not require use of another resource to hear or view the exhibit." The following are specifically prohibited and ARE NOT ALLOWED for exhibit submission:
  - Compact Discs (CDs)
  - Digital Video Discs (DVDs)
  - Other types of digital storage devices
  - USB flash drive (thumb drive)
  - External file-sharing links such as Google Drive.
- If any exhibit is more than one page, each page must be numbered in sequential order, e.g., 1, 2, 3, and so forth.

**PREPARING for a remote appearance.**

- Prior to the date of the hearing, download the free Microsoft Teams App on a mobile device or computer. Refer to the Instructions on appearing remotely or by telephone section below for additional information.
- Parties may also appear by telephone for a remote hearing. Refer to the Instructions on appearing remotely or by telephone section below for additional information.

**GATHER any witnesses needed for the case.**

- Whether proceeding in-person or remotely, make sure the witnesses are informed on how to appear. Witnesses should be aware of the hearing date and time. If appearing remotely, ensure that witnesses will appear through the Microsoft Teams App for the hearing.
  - Prior to the date of the hearing, make sure the witnesses download the free Microsoft Teams App on a mobile device or computer. Refer to the Instructions on appearing remotely or by telephone section below for additional information.
- Witnesses may appear by telephone for a remote hearing. Refer to the Instructions on appearing remotely or by telephone section below for additional information.
- For information regarding the subpoena process, contact the Small Claims Advisor at (858) 634-1777.

**INSTRUCTIONS on appearing remotely or by telephone.**

- Instructions on appearing remotely or by telephone may be found on the court's website at [www.sdcourt.ca.gov](http://www.sdcourt.ca.gov), click on Online Services, Appearing for Hearings, and then Small Claims Hearings.

**If you are UNABLE TO ATTEND the hearing date due to an emergency.**

- Review the Authorization to Appear (JC Form #SC-109) to see who is eligible to appear on your behalf. This form may be found on the court's website at [www.sdcourt.ca.gov](http://www.sdcourt.ca.gov).

**ON THE DAY OF THE SMALL CLAIMS TRIAL:**

**If appearing remotely or by telephone, connect to the San Diego Superior Court department listed on the Plaintiff's Claim and Order to Go to Small Claims or Notice of Hearing (JC Form #SC-100) or Plaintiff's Claim and Order to Go to Small Claims Court (COVID-19 Rental Debt) (JC Form #SC-500).**

Refer to the Instructions on appearing remotely or by telephone section above for additional information.

- Check-in with the courtroom clerk or designated staff 30 minutes before the hearing. Follow all directions provided by the clerk.
- An opportunity to mediate the case prior to trial may be available. For additional information, see Mediation Information for Small Claims Parties form (SDSC Form #SC-063) or visit the court's website [www.sdcourt.ca.gov](http://www.sdcourt.ca.gov), and click on Divisions, Civil, Small Claims, and then Small Claims Mediation Services.
- Have exhibits organized and ready to present to the court. These are the same exhibits sent to the court and the other parties in preparation for the trial.
- Additional department requirements or information may be provided by the courtroom clerk or designated staff on the day of trial. Follow all directions provided.