

JUSTICE COURT CIVIL CASE INFORMATION SHEET

CAUSE NUMBER (FOR CLERK USE ONLY): _____

STYLED

(e.g., John Smith v. All American Insurance Co; In re Mary Ann Jones; In the Matter of the Estate of George Jackson)

A civil case information sheet must be completed and submitted when an original petition is filed to initiate a new suit. The information should be the best available at the time of filing. This sheet, required by Rule of Civil Procedure 502, is intended to collect information that will be used for statistical purposes only. It neither replaces nor supplements the filings or service of pleading or other documents as required by law or rule. The sheet does not constitute a discovery request, response, or supplementation, and it is not admissible at trial.

1. Contact information for person completing case information sheet:

Name: _____ Telephone: _____
Address: _____ Fax: _____
City/State/Zip: _____ State Bar No: _____
Email Address: _____

2. Names of parties in case:

Plaintiff(s): _____
Defendant(s): _____

[Attach additional page as necessary to list all parties]

Signature: _____

3. Indicate case type, or identify the most important issue in the case (select only 1):

Debt Claim: A debt claim case is a lawsuit brought to recover a debt by an assignee of a claim, a debt collector or collection agency, a financial institution, or a person or entity primarily engaged in the business of lending money at interest. The claim can be for no more than \$10,000, excluding statutory interest and court costs but including attorney fees, if any.

Repair and Remedy: A repair and remedy case is a lawsuit filed by a residential tenant under Chapter 92, Subchapter B of the Texas Property Code to enforce the landlord's duty to repair or remedy a condition materially affecting the physical health or safety of an ordinary tenant. The relief sought can be for no more than \$10,000, excluding statutory interest and court costs but including attorney fees, if any.

Eviction: An eviction case is a lawsuit brought to recover possession of real property, often by a landlord against a tenant. A claim for rent may be joined with an eviction case if the amount of rent due and unpaid is not more than \$10,000, excluding statutory interest and court costs but including attorney fees, if any.

Small Claims: A small claims case is a lawsuit brought for the recovery of money damages, civil penalties, personal property, or other relief allowed by law. The claim can be for no more than \$10,000, excluding statutory interest and court costs but including attorney fees, if any.

NO LEGAL QUESTIONS WILL BE ANSWERED BY THIS OFFICE. PLEASE SEEK LEGAL ADVICE ELSEWHERE.

Note: DO NOT ask to speak to the judge. The judge cannot listen to any portion of your case and then actually hear the case upon trial. Any questions should be directed to the clerk and if there is a problem, this will be addressed to the judge by the clerk.

Justice of the Peace, Precinct 2
Instructions for Filing Justice Court Cases

VENUE:

Generally, suit should be filed in the county and precinct where one or more defendants reside. (Civil Practice and Remedies Code 15.082) However, there are many exceptions to this Rule. {Evictions: Cases of Forcible Detainer and Forcible Entry and Detainer must be filed in the precinct of the county where all or part of the leased premises is located. Refunds will not be given for improperly filed cases. It is up to the filing parties to verify the venue for the case filed}

JURISDICTION:

Jurisdiction (what the Court may render judgment for) in Justice Court suits is for civil matters in which exclusive jurisdiction is not in the county or district court and in which the amount in controversy is not more than \$10,000.00, exclusive of interest and court costs, but including attorney fees, if any. Justice Court also has jurisdiction over suits for foreclosure for foreclosure of mortgages and enforcement of liens on personal property where the amount in controversy is not more than \$10,000.00, exclusive of interest and court costs, but including attorney fees, if any.

TRIAL:

Upon answer by the defendant, the case will be set on a docket with at least 45 days notice. If the defendant fails to answer, the case will be placed on a default judgment docket **at the request of the plaintiff.**

APPEAL:

All cases brought before this court are susceptible to an appeal. If you feel your case should be appealed, please refer to Rule 506 of the Texas Rules for Court (As in all matters brought before this court, it is recommended that you seek legal advice prior to taking any legal action.)

FEES:

The filing fee is **\$46.00** for **Small Claims** and **Debt Claim** Cases. In addition there is a fee for serving the defendant, which is **\$75.00** per defendant to be served in Wood County by a Constable or Deputy Sheriff - (**\$121.00** total for one defendant to be served in Wood County by a Constable or Deputy Sheriff, – payable in cash, money order, or cashier's check to WOOD COUNTY JP2). **Eviction Cases** and **Repair and Remedy** Cases have a filing fee of **\$46.00**. In addition to the filing fee, there is a serving fee of **\$75.00.00** per defendant. **A Writ of Possession fee will be \$130.00**. An additional service fee will be charged for each defendant. Papers served out of county may have additional service fees. **At the time of filing, please provide the court with the original petition and two (2) copies.**

For information concerning other fees relating to these cases such as Subpoenas issued, Jury Trial, etc., contact the Clerks of the Court.

DISCOVERY:

Discovery in all cases is **NOT** mandatory unless Ordered by the Judge of the Court. For Discovery to be enforced, a Motion for Discovery **must** be provided to the court and an Order indicating the Judge's ruling issued with the Citation.

FOR NEW JUSTICE COURT RULES GO TO
www.mywoodcounty.com
and click on any JP in order to read them

PETITION: EVICTION CASE

CASE NO. (court use only) _____

With suit for Rent

COURT DATE: _____

In the Justice Court, Precinct _____, _____ County, Texas

PLA INTIFF _____
(Landlord/Property Name)

VS.
DEF ENDANT(S): _____

Rental Subsidy (if any) \$ _____
Tenant's Portion \$ _____
TOTAL MONTHLY RENT \$ _____

COMPLAINT: Plaintiff (Landlord) hereby complains of the defendant(s) named above for eviction of plaintiff's premises (including storerooms and parking areas) located in the above precinct. Address of the property is:

Street Address Unit No. (if any) City State Zip

1. SERVICE OF CITATION: Service is requested on defendants by personal service at home or work or by alternative service as allowed by the Texas Justice Court Rules of Court. Other addresses where the defendant(s) may be served are:

2. UNPAID RENT AS GROUNDS FOR EVICTION: Defendant(s) failed to pay rent for the following time period(s): _____ TOTAL DELINQUENT RENT AS OF DATE OF FILING IS: \$ _____
Plaintiff reserves the right to orally amend the amount at trial to include rent due from the date of filing through the date of trial.

3. OTHER GROUNDS FOR EVICTION/LEASE VIOLATIONS: Lease Violations (if other than non-paid rent - list lease violations) _____

4. HOLDOVER AS GROUNDS FOR EVICTION: Defendant(s) are unlawfully holding over since they failed to vacate at the end of the rental term or renewal of extension period, which was the _____ day of _____, 20____.

5. NOTICE TO VACATE: Plaintiff has given defendant(s) a written notice to vacate (according to Chapter 24.005 of the Texas Property Code) and demand for possession. Such notice was delivered on the _____ day of _____ and delivered by this method: _____

6. ATTORNEY'S FEES: Plaintiff will be or will NOT be seeking applicable attorney's fees. Attorney's name, address, and phone & fax numbers are: _____

7. BOND FOR POSSESSION: If Plaintiff has filed a bond for possession, plaintiff requests (1) that the amount of plaintiff's bond and defendant's counter bond be set, (2) that plaintiff's bond be approved by the Court, and (3) that proper notices as required by the Texas Justice Court Rules are given to Defendant(s).

REQUEST FOR JUDGMENT: Plaintiff prays that defendant(s) be served with citation and that plaintiff have judgment against defendant(s) for: possession of premises, including removal of defendants and defendants' possessions from the premises, unpaid rent IF set forth above, attorney's fees, court costs, and interest on the above sums at the rate stated in the rental contract, or if not so stated, at the statutory rate for judgments under Civil Statutes Article 5069-1.05.

I give my consent for the answer and any other motions or pleadings to be sent to my email address which is: _____

Petitioner's Printed Name

Signature of Plaintiff (Landlord/Property Owner) or Agent

DEFENDANT(S) INFORMATION (if known):

Address of Plaintiff (Landlord/Property Owner) or Agent

*LAST 3 NUMBERS OF DRIVER LICENSE: _____

City State Zip

*LAST 3 NUMBERS OF SOCIAL SECURITY: _____

DEFENDANT'S PHONE NUMBER: _____

Phone & Fax No. of Plaintiff (Landlord/Property Owner) or agent

Sworn to and subscribed before me this _____ day of _____, 20____.

Notary

AFFIDAVIT OF MILITARY STATUS OF DEFENDANT(S)

CAUSE NUMBER: _____

_____	§	IN THE JUSTICE COURT
(Plaintiff)	§	
	§	
VS.	§	PRECINCT 2, PLACE 1
	§	
_____	§	WOOD COUNTY, TEXAS
(Defendant)		

My name is [please print] _____.

I am [check one] the plaintiff or an authorized agent of the plaintiff in the case described above. I am cvapable of making this affidavit. I have been duly sworn on oath and the facts in this affidavit are within my personal knowledge and are true and correct.

[check or fill in as applicable]

1. No defendant in this case is on active duty in the United States military (Army, Navy, Air Force, Marines, or Coast Guard). The facts on which I base my conclusion are as follows: _____

2. Defendant [insert name(s)] _____ is on active duty in the United States military.

3. Defendant [insert name(s)] _____ has been deployed by the United States military to a foreign country.

4. Plaintiff and the undersigned (if the undersigned is acting agent of plaintiff) are not able to determine whether any defendant is in the United States military – except for any defendant named in No. 2 above.

5. Plaintiff and the undersigned (if the undersigned is acting as an agent of plaintiff) are not able to determine whether any defendant who is in the United States military has been deployed to a foreign country – except for any defendant named in No. 3 above.

6. Defendant [insert name(s)] _____ Has signed, while on active duty, a separate written waiver of his or her rights under the United States Servicemembers Civil Relief Act of 2003.

Affiant
Sworn to and subscribed before me on this the _____ day of _____, _____.

(Judge) (Clerk) Justice Court – Pct.2
Wood County, Texas

Notary Public in and for the State of Texas