

# WHERE SHOULD I FILE MY SMALL CLAIMS CASE?

## 1. Should I file my small claims case in Los Angeles County or in another County?

You may file your small claim in Los Angeles County only if the claim arose in Los Angeles County. Los Angeles Superior Court Local Rule 2.3 explains how to make that determination and identifies the statutes that apply: Code of Civil Procedure Sections 392-395, 760.050, 872.110; and Civil Code Sections 1812.10 and 2984.4.

It is up to you to study these statutes and Rule 2.3 in order to determine whether your case arose in Los Angeles County. As a convenience, some of the law contained in these statutes is described very generally below.

### **Disputes over Ownership or Possession of Property**

Disputes involving ownership or possession of real or personal property generally arise in the county where the property is located or where the defendants, or any of them, reside. See Code of Civil Procedure Sections 392, 760.050, 872.110.

### **Contract Disputes**

Contract disputes generally arise in the county where the buyer, in fact, signed the contract or purchase order, where the buyer resided at the time the contract or purchase order was entered into or where the buyer resides at the commencement of the action. See Civil Code Sections 1984.4, 1812.10.

### **Injuries to Persons or Property**

Actions seeking damages for injuries to a person or to personal property generally arise in the county where the injury occurs or the county where the defendants, or some of them, reside at the commencement of the action. See Code of Civil Procedure Section 395.

## **2. Where in Los Angeles County Should I File My Case?**

Local Rule 2.3 of the Los Angeles County Court Rules directs you to file your case in the “nearest or most accessible courthouse where the court hears” small claims matters. In Los Angeles County, the places where the court hears small claims matters are the six small claims hub courts located in the Downey, Alhambra, Stanley Mosk (Downtown Los Angeles), Van Nuys East, and Inglewood courthouses.

The “nearest or most accessible” hub court depends on the nature of your claim and how the claim arose. Los Angeles Superior Court Local Rule 2.3 explains how to identify the hub court that will hear your case and specifies the statutes that apply: Code of Civil Procedure Sections 392-395, 760.050, 872.110; and Civil Code Sections 1812.10 and 2984.4.

Set forth below, for your convenience, is a very general description of some of the law contained in these statutes and a table of Postal Zip Codes. It is up to you to study these statutes and Los Angeles Court Rule 2.3 to determine where to file your small claims action.

### **Real Property**

In general, claims involving disputes over real property belong in the hub courthouse that is the “nearest or most accessible” to the place (identified by Postal Zip Code) where the real property is located or where the defendants, or any of them, reside at the commencement of the action. See Code of Civil Procedure Sections 392, 760.050, 872.110.

### **Contract Cases**

Actions based on contracts should generally be filed at the hub courthouse that is “nearest or most accessible” to the place (identified by Postal Zip Code) where the buyer in fact signed the contract, where the buyer resided when the contract was entered into, or where the buyer resides at the commencement of the action. See Civil Code of Civil Procedure Section 395(b) and Civil Code Sections 1812.10, 2984.4.

## Personal Injuries and injuries to property

Claims for personal injury or injury to property are generally filed in the courthouse “nearest or most accessible” to the place (identified by Postal Zip Code) where the injury occurred or where the defendants, or some of them reside at the commencement of the action. See Code of Civil Procedure Section 395.