

THE STATE OF NEW HAMPSHIRE
JUDICIAL BRANCH
NH CIRCUIT COURT
www.courts.state.nh.us

WHAT TO EXPECT AFTER YOU FILE
A SMALL CLAIM RESPONSE

You have filed a response to a *Small Claim Complaint*. You will receive an electronic notification from the court when your response has been accepted.

What happens if I request a court hearing?

If you request a court hearing, the court will schedule a Pretrial Hearing which you are required to attend. This is a court proceeding which will determine the direction of your small claim case. The court will electronically send you a Notice of Hearing and further information.

What happens if I do not dispute the claim?

If you file a notice that the claim is not disputed, this is called “confessing judgment”. The court enters judgment in the plaintiff’s favor and a payment hearing will be scheduled. This hearing may be cancelled upon notification from the plaintiff in writing that payment has been made in full or that the parties have reached a satisfactory payment arrangement. All payments must be made directly to the plaintiff or if the plaintiff is represented, to his or her attorney.

What happens if I request a jury trial in Superior Court?

If you file a request for a jury trial with the required fee for a claim over \$1,500, the small claim action will be transferred to the Superior Court for a trial by jury.

What happens if I have selected “Bankruptcy Filed” on the response?

If you have filed a petition with the United States Bankruptcy Court and the debt sought in this small claim has been included, you may select “Bankruptcy filed” on the response form. You must also attach (upload) your list of creditors and the bankruptcy case number. The court will then issue an order putting a hold on this claim until the resolution of the Bankruptcy Court proceedings.

What happens if I file a Counterclaim?

If you choose to file a counterclaim and have paid the required fee, the court will schedule a Pretrial Hearing which you are required to attend. This is not a trial in the case but a court proceeding which will determine the direction of your small claim case. Both the original small claim complaint and your counterclaim will be addressed together. The court will electronically send you a Notice of Hearing and further information.

What happens if I pay the plaintiff the claim/judgment?

If you pay the plaintiff or plaintiff’s attorney the total amount of the claim (including court costs), the plaintiff must file a notice with the court that payment has been received. The court will then close the case and cancel any scheduled hearings.

Further information –

Frequently Asked Questions and Answers may be found online throughout the guided interview process when you are logged into your case.

Additional information and forms may be found on the court’s website at www.courts.state.nh.us or by calling the court at 1-855-212-1234.