

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

RESPONDING TO A SMALL CLAIM CASE
IMPORTANT INFORMATION

How do I access e-filing?

If you are working with an attorney, s/he will guide you on how to e-file. If you are going to represent yourself in this action, go to the court's website: www.courts.state.nh.us, select the Electronic Services icon and then select the option for a self-represented party.

1. Click "E-File Here" to enter the e-filing application.
2. Complete the sign up/log in process. Click Sign up and follow the prompts.
3. After you log in, select "*Small Claims – File into an Existing Case*" and enter the county and location in which this case is filed. Select next and enter the case number. Click on the case # link and follow the prompts.
4. Follow the guided interview until you get to the "*What would you like to file?*" screen.
5. Follow the instructions and prompts on the screen to complete the filing.

Do I have to file online?

- Electronic filing is mandatory for the Small Claims process. However, upon a showing of extraordinary circumstances, the court may fully excuse a party from electronic filing. Such requests shall not be ordinarily granted.

The following form is required for this request along with the Response:

Request for Exception from Electronic Filing form (NHJB-2895-DFPe)

This form may be found at www.courts.state.nh.us.

How do I file my Response?

The defendant is required to file a Response with the court **on or before the Return Date** noted on the bottom of the complaint. The Response is a form that will populate as you answer the questions in the filing program after you select that you want to file a Response. You will not have to complete a separate Response form if you follow this process.

Note: You may sign up/log in and respond on any private or public computer. There is also a public access computer in the courthouse lobby.

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2. After you log in, select "*Small Claims – File into an Existing Case*" and enter the county and location in which this case is filed. Select next and enter the case number. Click on the case # link and follow the prompts.
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The common forms that a Defendant files in this case type are listed below in categories. If you do not see what you are looking for, select the Miscellaneous category for another list of options.

The forms marked with an **A** are Automatically generated by your answers to a series of questions. At the end of the process, you simply review your automatically-generated form and then e-file.

The forms marked with a **C** are those which you must Complete by typing the required information into the form, and then saving, attaching, and e-filing it. Instructions for how to do this will be available at the end of the program.

What Would You Like to File into Your Case Today? *

Early in the case: If you received a Small Claims Complaint and have not yet filed anything with the court, you will likely file:

- A** Response to Small Claim (This is the most common first filing by a defendant. It is required by court rules. It gives you options to request a hearing to dispute the claim, agree that you owe money to the plaintiff, allege a counterclaim against the plaintiff, and other important options.)

Later in the case: If you received a Notice of Decision of a judgment that you owe the plaintiff money, you might file:

- A** Motion
- A** Objection (Use this to object to a motion filed by the other party.)
- A** Statement of Assets and Liabilities for an *Individual* (If you are a Business, choose **Other**, below.)
- A** Email/Address Notification or Change
- Miscellaneous options (less commonly filed):**
- C** Agreement (This must be signed by all parties.)
- C** Other - I want to file another document that I will complete and attach

You (defendant) would only file the below options if you won a counterclaim against the plaintiff.

- A** Motion for Periodic Payments
- A** Motion for Contempt for Non-Compliance with a Payment Order
- C** Request for New Orders of Notice
- C** Notice of Full or Partial Payment Received

Clicking the **Next** button automatically saves the data to your TurboCourt account.

◀ PREVIOUS

NEXT ▶

Do I need an Attorney?

In New Hampshire, lawyers are not required in small claims court, and formal rules of evidence are not followed. Although not required in Small Claims actions, any persons or businesses involved in the proceedings may be represented by a lawyer, if they wish.

How do I request a Hearing?

After the defendant receives the small claim, and if he/she disputes the claim, they may file a response with the court online, on or before the return date, and select the Request for a Hearing option.

How do I file a counterclaim?

If you wish to file a counterclaim, file a Response online and follow the prompts to enter your counterclaim information. The court will schedule the case for a hearing on both the initial claim and the counterclaim. Note: there is a fee to file a counterclaim.

How much will this cost?

Fees vary depending on what is being filed. Click here to check your filing fees.

Can we just settle outside of court?

The parties should try to settle the claim. The plaintiff may simply ask the person who owes the money to pay. If the defendant confesses judgment (agrees that the debt is owed), judgment will be entered in the plaintiff's favor.

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What happens next?

If the defendant pays the debt, the plaintiff must notify the court that the debt/judgment has been satisfied. If the defendant does not file a response by the return date, and the mail has not been returned to the court as undeliverable, a judgment may be entered in the plaintiff's favor. If the defendant disputes the claim and requests a hearing, a Pre-Trial hearing will be scheduled. Both parties will be notified of the Pre-Trial hearing date. Both parties must attend.

BE SURE TO NOTIFY THE COURT IF YOUR ADDRESS CHANGES. FAILURE TO DO SO COULD RESULT IN THE ISSUANCE OF ORDERS AGAINST YOU OR WITHOUT YOUR INPUT.

If you have questions, please call the court at 1-855-212-1234.