

Hacking the Man

A Guide to Filing Small Claims Cases in Dallas County

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March 2025

Background

- **2022** - I began subleasing an apartment that had been leased for 2 years already
- **2023** - I took over the lease from the previous owner (who took it over from the owner before that)
- **2024** - I terminated the lease to find a cheaper place to live
- 3 months after moving out, I am denied my security deposit and am instead sent a bill for approximately \$750
- Cleaning fee I agree with - I was in a hurry to get to New Hampshire when I moved out - but approximately \$650 is for resurfacing surfaces that had not been maintained in 4+ years!
- While I agreed they should be resurfaced, I believed this would fall under "standard apartment maintenance" rather than negligence on my part - so I filed a small claims suit against the complex

Small Claims Cases

- A **small claims case** is a lawsuit regarding relatively small amounts of money - in Dallas County, the limit is \$20,000
- Usually filed **pro se** (literally "on one's own behalf") or without a lawyer
- Fees are charged to **plaintiff** (you) - but if you win the defendant has to pay them back to you!
- My fees totaled about \$137



This envelope is pending review and fees may change.

Case Fee Information	\$57.87
Case Fees	\$54.00
Payment Service Fees	\$3.87
Petition	\$80.00

• Optional Services	Fee Per Quantity
• Service - Constable - Personal Service	\$80.00 1 \$80.00

Filing a Small Claims Case

- Thankfully, solutions exist for electronically filing your suits and other documents to Dallas County (and others) - but there's stuff to figure out first!
- Where you file is important! Each county has at least one **Justice Court** presided over by a judge that covers a specific geographical region (this means you can also pick a sympathetic judge)
 - **Where the incident occurred** - good for actual incidents rather than disputes
 - **The defendant's justice court** - jurisdiction of the court is more obvious here
 - **Your justice court** - not common
- Dallas County provides [this website](#) to help figure out which court you'd like to file in
- I filed in [Justice of the Peace Pct. 1 Place 2](#), presided over by Judge Valencia Nash

E-Filing

- Your Justice Court might have specific rules about filing - JP 1-2 provides a lot of resources [here](#)
- There are a number of **service providers** for e-filing. They are all recognized by the state of Texas and are listed [here](#)
- But if you're filing pro-se, why tf would you pick any of the service providers other than the free one provided by the state, [eFileTX](#)?
- You'll be asked to select which JP to file in, the amount of money you'd like to sue for, the plaintiff and defendant
- If suing an entity instead of a person, you need to find the **registered agent** (point of contact for the business's legal matters) - you can find this via the [Texas Comptroller's Office](#) - this is necessary if you want the Constable's Office to handle serving the defendant (you do - alternative is more complicated)

Settling

- Once you've done all of this, you just have to wait. If you're lucky, the defendant will say "it's not worth it for us to pursue this in court, so let me give you money to make this go away" - this is what happened for me!
- In this case, you have to file a **Motion to Dismiss** - I found this motion on [the JP's small claims website](#)
- After filling in the motion, go back to your e-filing software, find your case, and find the option for "File into Case", which just means "add more information to this case"
- If this is accepted by the court - you're done! If not - prepare to go to court!