

Justice Court Civil Case Information Sheet (9/1/13)

Cause Number (for Clerk use ONLY) _____ - _____ A

STYLED _____

v.

(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 pleadings 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:	2. Names of parties in case:
<p>_____ Name</p> <p>_____ Address Apt/Suite</p> <p>_____ City State Zip</p> <p>_____ Email</p> <p>_____ Telephone</p> <p>_____ Fax</p> <p>_____ State Bar No.</p> <p>_____ Signature</p>	<p>Plaintiff(s):</p> <p>_____</p> <p>_____</p> <p>Defendant(s):</p> <p>_____</p> <p>_____</p> <p>_____</p> <p style="text-align: center;">[Attach additional page as necessary to list ALL parties]</p>
3. Indicate case type, or identify the most important issue in the case (select only 1):	
<p><input type="checkbox"/> 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.</p>	<p><input type="checkbox"/> 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.</p>
<p><input type="checkbox"/> 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.</p>	<p><input type="checkbox"/> 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.</p>

Judge Steve Kennedy
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DEBT CLAIM

PETITION REQUIREMENTS

Texas Rules of Civil Procedure

508.2. Petition.

(a) **Contents.** --In addition to the information required by Rule 502.2 (*the Justice Court Civil Case Information Sheet*), a petition filed in a lawsuit governed by this rule must contain the following information:

(1) **Credit Accounts.** --In a claim based upon a credit card, revolving credit, or open account, the petition must state:

- (A) the account name or credit card name;
- (B) the account number (which may be masked);
- (C) the date of issue or origination of the account, if known;
- (D) the date of charge-off or breach of the account, if known;
- (E) the amount owed as of a date certain; and
- (F) whether the plaintiff seeks ongoing interest.

(2) **Personal and Business Loans.** --In a claim based upon a promissory note or other promise to pay a specific amount as of a date certain, the petition must state:

- (A) the date and amount of the original loan;
- (B) whether the repayment of the debt was accelerated, if known;
- (C) the date final payment was due;
- (D) the amount due as of the final payment date;
- (E) the amount owed as of a date certain; and
- (F) whether plaintiff seeks ongoing interest.

(3) **Ongoing Interest.** --If a plaintiff seeks ongoing interest, the petition must state:

- (A) the effective interest rate claimed;
- (B) whether the interest rate is based upon contract or statute; and
- (C) the dollar amount of interest claimed as of a date certain.

(4) **Assigned Debt.** --If the debt that is the subject of the claim has been assigned or transferred, the petition must state:

- (A) that the debt claim has been transferred or assigned;
- (B) the date of the transfer or assignment;
- (C) the name of any prior holders of the debt; and
- (D) the name or a description of the original creditor.