

# Municipal Court Information

Any time you file paperwork with the Franklin County Municipal Court, you must file it with the Clerk.

**The Clerk's office is located:** 375 S. High St. 3rd Floor  
Columbus, OH 43215

**Hours:** Monday –Friday 8am to 4:30pm

You may file in person or by mail. If you file by mail, include a self-addressed, stamped envelope so that you can get a time-stamped copy returned to you.

If you file by mail, you may not pay by credit card.

## ? DO YOU HAVE QUESTIONS?

The FCMC Self Help Resource Center is a free walk-in service to help you represent yourself in court without a lawyer. We cannot offer legal advice, but can point you to helpful resources. The Center is open on a walk-in basis – no appointment necessary.

## About the Franklin County Municipal Court Self Help Resource Center

The FCMC Self Help Resource Center is a free walk-in service to help you represent yourself in court without a lawyer. We cannot offer legal advice, but can point you to helpful resources. The Center is open on a walk-in basis – no appointment necessary.

### VISIT OUR WEBSITE

[www.fcmcselfhelpcenter.org](http://www.fcmcselfhelpcenter.org)

Includes helpful legal and research resources and materials on various legal issues.

### WALK IN

375 S. High St., 6th Floor  
Columbus, OH 43215  
Monday – Friday, 9:00 AM – 3:00 PM  
(last visitors accepted at 2:30 PM)

This guide is for informational purposes only and should not be relied on for legal advice.  
If you need legal advice, contact an attorney.

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Franklin County Municipal Court (FCMC)  
Self Help Resource Center

## FRANKLIN COUNTY SMALL CLAIMS DIVISION

# DEFINITIONS OF LEGAL TERMS USED IN SMALL CLAIMS COURT

This booklet is designed to give you an overview of terms that you are likely to come across during a Small Claims lawsuit. These terms are also applicable to other types of legal claims.

Nothing in this booklet should be interpreted as legal advice. It is meant only for informational purposes.

If you have more questions about filing a Small Claims lawsuit, please contact:

Small Claims Division, Franklin  
County Municipal Court  
375 S. High St., 16th Floor  
Columbus, OH 43215  
Phone: 614-645-7381  
Email: [smallclaims@fcmcclerk.com](mailto:smallclaims@fcmcclerk.com)  
Hours: Monday – Friday 8am to 5pm



Franklin County Municipal Court  
Self Help Resource Center

**A**

**Affidavit** – A signed, sworn statement, witnessed by a notary public.

**Appeal** – A rehearing of the court’s decision by a higher court.

**Attachment** – The taking of a person’s property to collect a judgment.

**B**

**Bond** – A money deposit left with the court.

**C**

**Capias Order** – An order for the arrest of an individual, issued by a judge.

**Certificate of Mailing** – A receipt from the Post Office for ordinary mail (check with your Post Office for the cost of a certificate of mailing).

**Clerk of Court (Clerk)** – A public official whose duties include keeping court records.

**Complaint** – A written statement made by the plaintiff containing legal claims against the defendant and a demand for money damages. Filing the complaint with the court begins the small claims process.

**Complaint on an Account** – A claim by a business against someone who owes the business money.

**Contempt of Court** – Disobeying the authority or dignity of the court, such conduct is punishable by fine or imprisonment.

**Continuance** – Postponing the trial to a future date.

**Contract** – An agreement between two or more people.

**Costs** – Fees the plaintiff pays to file the complaint or to collect the judgment.

**Counterclaim** – A claim the defendant makes against the plaintiff stating that the plaintiff owes the defendant money.

**Creditor** – See Judgment Creditor

**Cross-claim** – A claim against a party on the same side of a lawsuit, usually a claim by a defendant against another defendant.

**D**

**Damages** – Money awarded to a party by the magistrate or judge.

**Debtor** – A party that owes money, see also Judgment Debtor.

**Default judgment** – A judgment awarded by the court against another party because the party did not appear on the trial date

**Defendant** – The person being sued.

**Dismissal** – The termination of a case without trial, either because the plaintiff did not appear or the case settled.

**Docket** – A list of all the cases a court will hear on a specific date.

**E**

**Enforce** – The process of collecting a money judgment awarded to a party.

**Evidence** – Something that tends to prove or disprove a fact. Evidence includes written documents and witness testimony.

**Execution** – A court order for the sheriff to take property owned by the judgment debtor to pay the debt that is owed.

**Expert witness** – A person who is qualified due to his or her experience or background to give an opinion about a disputed matter.

**F**

**Fee** – Money paid to the Clerk of Courts to file or serve a document.

**Foreclosure** – A legal process to end a homeowner’s interest in a property.

**G**

**Garnishment** – Taking a percentage of the Judgment Debtor’s wages on a regular basis to pay a debt.

**I**

**Interest** – Money earned on a debt at a given rate as time passes. The interest rate may be provided by statute or by contract

**J**

**Judge** – A court official who hears and decides cases.

**Judgment** – The final decision of a magistrate or judge as to the rights and obligations of the parties in a case. The judgment may include an amount the magistrate or judge says is owed by the debtor. A judgment may also be called an entry.

**Judgment Creditor** – The party that is owed money by a judgment of the court

**Judgment Debtor** – The party that owes money by a judgment of the court.

**Jurisdictional limit** – The maximum amount of money that can be awarded by a particular small claims court.

**L**

**Lawsuit** – A legal proceeding against a party in court. A lawsuit may also be called an “action” or a “case.”

**Lien** – A legal right or interest that a creditor has in another’s property.

**M**

**Magistrate** – A court official that has the authority to hear and decide cases.

**Mediation** – A voluntary process where parties involved in a dispute meet with a neutral third party, a mediator, to reach a settlement outside of court.

**Motion** – A written or oral request by a party for a court order or some other kind of action.

**N**

**Non-exempt Wages** – The percentage of a Judgment Debtor’s wages that may be garnished.

**Notary** – Someone who is legally authorized to verify the authenticity of documents and signatures.

**Notice of Appeal** – A filing requesting that the case be taken to the next highest court for a decision.

**P**

**Party** – The plaintiff or defendant involved in the lawsuit.

**Personal Service** – Hand-delivery of a court document to a party by a bailiff of the court.

**Plaintiff** – The person who files the complaint.

**Proof of service** – A document filed with the court stating that a party has been properly presented with copies of the complaint or other court document.

**R**

**Real Estate** – Property in the form of land or buildings, rather than personal possessions.

**Revive** – The process of making your judgment active again.

**S**

**Settlement** – The parties coming to an agreement between themselves outside of court.

**Service** – Delivering the Complaint and Summons to the person being sued.

**Statute of limitations** – The period of time during which a lawsuit can be filed.

**Statutory Agent** – A person authorized by a business entity to accept court notices.

**Summons** – A court notice telling a defendant that he or she is being sued and must appear in court on a certain date.

**Subpoena** – An official order of the court requiring a person to appear in court to testify as a witness.

**T**

**Testimony** – Statements made by a witness under oath.

**Third-party complaint** – A claim by the defendant against someone other than the plaintiff or another defendant, claiming that the third party is responsible for any judgment against the defendant.

**W**

**Witness** – A person called to court to testify on behalf of a party about what he or she personally knows.