

MAGISTRATE COURT OF ATHENS-CLARKE COUNTY

325 E. WASHINGTON STREET, ROOM 240
P.O. BOX 1868, ATHENS, GA 30603
(706)613-3310

Benjamin R. Makin, Chief Judge
Donarell R. Green, IV, Judge
Jessica I. Benjamin, Judge

Marilyn Emerson, Clerk of Court
Haley J. Fouche, Deputy Civil Clerk
Susan Holbrook, Civil Clerk

PROCEDURES FOR FILING A CIVIL CLAIM:

The filing fee is **\$104.00** for one defendant and **\$50.00** for each additional defendant, per claim. Checks made payable to: **ACC Magistrate Court**.

You may file in Athens-Clarke County if the Defendant resides here or you have other legal reasons to believe venue is proper here. If you are unsure, you should contact an attorney. The Clerk cannot give you legal advice on whether venue is proper in Athens-Clarke County or another county.

The jurisdictional limit for filing a civil claim in the Magistrate Court is **\$15,000.00**. Any claims exceeding this amount must be filed in the Clerk's Office for State or Superior Court.

The Plaintiff is the party filing the claim, and the Defendant is the party the claim is against. The "Statement of Claim" must be completely filled out and must include a complete street address for the Defendant's residence or place of employment (no P.O. Box). The signature of the Plaintiff must be notarized or witnessed by a deputy clerk in our office. On the back of this page is a sample "Statement of Claim".

Deliver the "Statement of Claim" form in triplicate (plus one additional for each additional defendant per claim), one "Summons", and one "Sheriff's Entry of Service" form for each Defendant to this Court along with the filing fee.

ANY FORMS RECEIVED THAT ARE NOT FILLED OUT CORRECTLY WILL BE RETURNED TO YOU. BE SURE TO INCLUDE THE CORRECT NUMBER OF COPIES OF THE STATEMENT OF CLAIM AND THE ATTACHMENTS, A SUMMONS AND A SHERIFF'S ENTRY OF SERVICE AND THE FILING FEE!

Once your claim has been filed with the Court, the claim will be docketed and forwarded to the Sheriff's Department for service. Claims must be served personally on the defendant. These civil claims cannot be tacked and mailed like dispossessory or personal property foreclosure actions.

Once service is completed, the Court will mail you a copy of the Sheriff's Entry of Service form. The Defendant has 30 days to answer the claim by filing an answer to contest the case or by requesting a payment plan. If an answer is filed, the Court will schedule a hearing. If the Defendant wishes to pay the full amount due into the court registry, you will be notified prior to the hearing. If the Defendant does not answer after 45 days, you may file an affidavit for judgment. If you receive a judgment, you may take further action against the Defendant to collect on that judgment either by garnishing the defendant's wages or bank account or by obtaining a FiFa to levy on their personal property.

EXAMPLE

**IN THE MAGISTRATE COURT OF ATHENS-CLARKE COUNTY
STATE OF GEORGIA**

Jane Smith
23 Main St
Athens, GA 30601
706-555-9876

Plaintiff(s) Name, Address & Phone Number

versus

versus Civil Action No. MC-01-CV-CV-_____

John Doe
235 W. Broad St
Athens, GA 30606
770-555-1234

Defendant(s) Name, Address & Phone Number

STATEMENT OF CLAIM

1. Plaintiff brings this action against Defendant(s) for the following reason:

Suit on a Contract (attach copy)

Suit on Continuing Account (attach last billing statement)

Other - Brief Statement of Claim:

John Doe was the driver of a vehicle that collided with rear of my vehicle while I was stopped at the intersection of E. Washington St & N. Lumpkin St in Athens GA. I'm seeking to recover \$ 5,500⁰⁰ in repair costs. I've attached 2 copies of repair invoices.

2. Venue is proper in Athens-Clarke County because:

(a) the Defendant is a resident/business in Athens-Clarke County; or
(b) other (please specify): _____

3. Plaintiff requests judgment as follows:

Principal	\$ 5500.00
Interest	\$ —
Attorney's Fees	\$ —
Court Costs	\$ 104.00
Total	\$ 5604.00

State of Georgia, Clarke County:

Jane Smith being duly sworn on oath, says the foregoing is a just and true statement of the amount owing.

Sworn and subscribed before me this
5th day of November 20 25

Notary Public/Attesting Official

White: Clerk

Canary: Defendant

Jane Smith
Plaintiff or Agent/Attorney for Plaintiff

Plaintiff or Agent/Attorney for Plaintiff

Pink: Plaintiff/Attorney