

## **INSTRUCTION FOR FILING SMALL CLAIMS ACTION IN THE SLEEPY HOLLOW VILLAGE COURT**

**Small Claims Applications Must Comply with the following Guidelines:**

- You must be suing as an individual (not as a corporate entity).
- Action cannot exceed \$3,000.
- THE PARTY YOU WISH TO SUE must reside OR have a place of business in the Village of Sleepy Hollow. The defendant must have a physical address to which correspondences can be mailed/served within the jurisdiction of this Court
- Filing Fees payable by
  - o Cash (Exact amount only – no change is made)
  - o Visa/Mastercard (subject to a 3% card “convenience” fee which the Village of Sleepy Hollow doesn’t receive any portion of)
  - o Money Order or Check payable to “Sleepy Hollow Village Court”
  - o For claims up to \$1,000, a \$10 filing fee is due
  - o For claims between \$1,001 and \$3,000, a \$15 filing fee is due.

**Sleepy Hollow Justice Court  
28 Beekman Avenue  
Sleepy Hollow, NY 10591  
COUNTY OF WESTCHESTER  
Small Claims Part**

**Katherine B. Baldwin**  
Village Justice

**Michelle McLean**  
Chief Court Clerk

**Alfred A. Farella**  
Associate Justice

**Shirley Benavides**  
Deputy Court Clerk

**Case #** \_\_\_\_\_  
Village Court will assign case #

**Notice to Defendant:**

(Name and street address  
Of person you are making a  
claim against – no P.O. boxes)

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

**Take Notice that:**

\_\_\_\_\_  
(Claimant information in this section: Name, Address, Phone Number)

**Address:** \_\_\_\_\_ **Phone #** \_\_\_\_\_

Plaintiff, asks judgement in this Court against you for \$ \_\_\_\_\_, together with costs, claim is based upon the following:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

**There will be a hearing before the Court upon this claim on \_\_\_\_\_ 20 \_\_\_\_\_, at \_\_\_\_\_ o'clock \_\_\_ M, in the Small Claims Part, held at Sleepy Hollow Village Court, 28 Beekman Avenue, Sleepy Hollow, NY 10591, First Floor.**

You must appear and present your defense and any counterclaim you may desire to assert at the hearing at the time and place above set forth (a corporation must be represented by an attorney or any authorized officer, director, or employee). **IF YOU DO NOT APPEAR, JUDGEMENT WILL BE ENTERED AGAINST YOU BY DEFAULT, EVEN THOUGH YOU MAY HAVE A VALID DEFENSE.** If your defense or counterclaim, if any, is supported by witnesses, account books, receipts, or other documents, you must produce them at the hearing. The Clerk, if requested, will issue subpoenas for witnesses, without fee thereof.

If you wish to present a counterclaim against the claimant, you must do so by filing with the Clerk of the Court a statement containing such counterclaim within five days of receiving this notice of claim, At the time of such filing you must pay the Clerk a filing fee of \$3.00 plus the cost of postage to send your counterclaim by first class mail to the claimant. If you fail to file a counterclaim within the five-day period, you retain the right to file the counterclaim until the time of the hearing, but the claimant may request and obtain an adjournment of the hearing to a later date.

If you admit the claim, but desire to pay, you must appear personally on the day set for the hearing and state to the Court your reason for desiring time to pay.

**Date:** \_\_\_\_\_

\_\_\_\_\_  
Clerk